

EXECUTIVE SUMMARY FY 2009 APPROPRIATION ADJUSTMENTS ACT

HOUSE FILE 414

FUNDING SUMMARY

- Makes the following appropriation adjustments:
 - Reduces FY 2009 General Fund appropriations by \$30.3 million.
 - Deappropriates a total of \$35.6 million from the Rebuild Iowa Infrastructure Fund (RIIF). Maintains funding for the projects by moving \$35.2 million to the Endowment for Iowa's Health Restricted Capitals Fund (RC2). Transfers \$37.0 million from the RIIF to the General Fund.
 - Deappropriates \$36.9 million from the RC2, making funds available for FY 2009 appropriations of \$40.1 million from the RC2.
 - Deappropriates \$24.9 million from the FY 2009 Tax-Exempt Restricted Capital Fund (RC3).
 - Transfers \$48.0 million from various sources to the General Fund.
 - Appropriates FY 2009 General Fund supplementals of \$17.3 million.
- The use of the term "disaster period" refers to natural disasters that occurred in Iowa after May 24, 2008, and before August 14, 2008.

DIVISION I

SMALL BUSINESS DISASTER RECOVERY FINANCIAL ASSISTANCE PROGRAM

COMMUNITY ATTRACTION AND TOURISM FUND TRANSFER GROW IOWA VALUES FUND

JUMPSTART AND SMALL BUSINESS ASSISTANCE PROGRAMS

- Creates the Small Business Disaster Recovery Financial Assistance Program within the Department of Economic Development (DED). Requires the DED to provide grants to administrative entities for forgivable loans to provide financial assistance to certain businesses that sustained during the disaster period. Defines eligible business. Sets the maximum forgivable loan at \$50,000 with an additional \$5,000 for energy-efficient purchases and installation reimbursement. This codifies the Program as initiated by the Governor. (Page 1, Line 3)
- Transfers \$1.9 million from the FY 2009 Community Attraction and Tourism Fund to the Housing Assistance Fund for the Jumpstart Housing Assistance Program. (Page 1, Line 35)
- Reduces the FY 2009 appropriations from the Grow Iowa Values Fund by 20.0% as follows: (Page 2, Line 9)
 - Various small business, entrepreneurial, value-added agriculture, and a loan and credit guarantee program: From \$30.0 million to \$24.0 million.
 - Technology financial assistance to Regent institutions: From \$5.0 million to \$4.0 million.
 - Various park projects: From \$1.0 million to \$800,000.
 - Cultural Trust Fund: From \$1.0 million to \$800,000.
 - Community Colleges Workforce Training: From \$7.0 million to \$5.6 million.

EXECUTIVE SUMMARY FY 2009 APPROPRIATION ADJUSTMENTS ACT

HOUSE FILE 414

GROW IOWA VALUES FUND (CONTINUED)

JUMPSTART HOUSING ASSISTANCE PROGRAM

COMMUNITY ATTRACTION AND TOURISM FUND

JUMPSTART HOUSING ASSISTANCE PROGRAM

EFFECTIVE DATE AND NONREVERSION OF FUNDS

- Economic development regions financial assistance: From \$1.0 million to \$800,000.
- Renewable Fuel Infrastructure Fund: From \$2.0 million to \$1.6 million.
- Commercialization Services: From \$3.0 million to \$2.4 million.
- Creates the Jumpstart Housing Assistance Program within the Iowa Finance Authority (IFA). Specifies resident eligibility, defines “disaster-affected home,” and identifies eligible local governments. This codifies the Program as initiated by the Governor. (Page 2, Line 20)
- Transfers \$2.5 million from the Power Fund to the IFA for the Jumpstart Housing Program. (Page 3, Line 32)
- Transfers \$1.9 million from the Loan and Credit Guarantee Fund to the Community Attraction and Tourism Fund. (Page 4, Line 10)
- Transfers \$2.0 million from the River Enhancement Community Attraction and Tourism Fund to the Jumpstart Housing Assistance Program. (Page 4, Line 23)
- Transfers \$1.6 million of the \$3.0 million FY 2009 Rebuild Iowa Infrastructure Fund (RIIF) appropriation to the Department of Administrative Services (DAS) for State building and facility maintenance expenditures to the IFA for the Jumpstart Housing Assistance Program. (Page 5, Line 10)
- Transfers \$1.0 million of the FY 2009 RIIF appropriation to the DAS Capitol complex property acquisition expenditures to the IFA for the Jumpstart Housing Assistance Program. (Page 5, Line 21)
- Transfers the entire \$10.0 million of the FY 2009 RIIF appropriation to the DED for the River Enhancement Community Attraction and Tourism Fund to the IFA for the Jumpstart Housing Assistance Program. (Page 5, Line 31)
- Transfers \$1.0 million of the FY 2009 RIIF appropriation to the Department of Natural Resources (DNR) for the Lowhead Dam Public Hazard Improvement Program to the IFA for the Jumpstart Housing Assistance Program. (Page 6, Line 7)
- Specifies the following: (Page 7, Line 4)
 - Division I is effective on enactment.
 - The FY 2009 transfers made by the Department of Management relating to the Jumpstart Housing Assistance Program, the Small Business Assistance Programs, or the Loan and Credit Guarantee Fund are replaced by the appropriations and transfers in Division I.

EXECUTIVE SUMMARY

FY 2009 APPROPRIATION ADJUSTMENTS ACT

HOUSE FILE 414

NONREVERSION OF FUNDS

DIVISION II

CORRECTIONAL FACILITY FY 2006 RIIF APPROPRIATION ADJUSTMENT

STATE OFFICE BUILDING RIIF AND RC2 APPROPRIATION ADJUSTMENTS

OTHER RIIF APPROPRIATION ADJUSTMENTS

- Requires funds available in Division I for the Small Business Disaster Recovery and Financial Assistance Program to carry forward to FY 2010. (Page 7, Line 15)

CAPITAL APPROPRIATIONS REVISIONS

- Generally, these changes represent funding shifts from the RIIF to the RC2.
- Reduces the FY 2006 RIIF appropriation to the Davenport Community-Based Correctional Facility from \$3.8 million to \$292,000. Provides the same Facility with an FY 2009 RC2 appropriation of \$3.5 million. (Page 7, Line 26 and Page 14, Line 5)
- Deappropriates the FY 2010 RIIF appropriation of \$12.7 million to the DAS for construction of a new State office building. Requires the DAS to cancel activities regarding the construction on December 9, 2008. (Page 8, Line 2)
- Reduces the FY 2007 Endowment for Iowa's Health Restricted Capitals Fund (RC2) appropriation for a new State office building from \$37.6 million to \$661,000. Deappropriates the FY 2009 and FY 2010 funding for the building. (Page 9, Line 8 and Page 12, Line 14)
- Deappropriates \$349,000 from the FY 2008 RIIF appropriation to the DAS for relocation of the vehicle dispatch fueling station. (Page 10, Line 19)
- Reduces the FY 2008 RIIF appropriation to the DAS for capital improvement projects at correctional facilities from \$5.5 million to \$2.7 million. The funds are replaced with an FY 2009 RC2 appropriation of \$2.8 million. (Page 10, Line 25 and Page 14, Line 9)
- Reduces the FY 2008 RIIF appropriation to the DED for certain community college Accelerated Career Education (ACE) capital projects from \$5.5 million to \$1.3 million. Deappropriates \$900,000 from the FY 2009 RIIF appropriation for the ACE Program. The funds are replaced with an FY 2009 RC2 appropriation of \$5.1 million. (Page 10, Line 31; Page 11, Line 34; Page 14, Line 12)
- Deappropriates the FY 2008 RIIF appropriation of \$2.0 million to the Department of Public Safety (DPS) for construction of an emergency response training facility. The funds are replaced with an FY 2009 RC2 appropriation of \$2.0 million. (Page 11, Line 5 and Page 15, Line 2)
- Reduces the FY 2008 RIIF appropriation to the Board of Regents for the University of Iowa Institute for Biomedical Discovery from \$10.0 million to \$9.5 million. Deappropriates the FY 2009 RIIF appropriation of \$10.0 million for the same Institute. The funds are replaced with an FY 2009 RC2 appropriation of \$10.6 million. (Page 11, Line 11; Page 11, Line 19; and Page 15, Line 7)
- Reduces the FY 2009 RIIF appropriation to the Board of Regents for the Iowa State University Renewable Fuels Building from \$14.8 million to \$3.5 million. The funds are replaced with an FY 2009 RC2 appropriation of \$11.3 million. (Page 11, Line 28 and Page 15, Line 11)

EXECUTIVE SUMMARY

FY 2009 APPROPRIATION ADJUSTMENTS ACT

HOUSE FILE 414

OTHER RIIF APPROPRIATION ADJUSTMENTS (CONTINUED)

- Deappropriates the FY 2009 RIIF appropriation of \$900,000 to the DED for certain community college Accelerated Career Education (ACE) capital projects. The FY 2008 and FY 2009 RIIF deappropriations are replaced with an FY 2009 RC2 appropriation of \$5.1 million. (Page 11, Line 34 and Page 14, Line 12)

RC3 DEAPPROPRIATIONS

- Deappropriates the FY 2009 \$20.0 million appropriation from the Tax-Exempt Restricted Capital Fund (RC3) for a new State office building. Requires the DAS to cancel activities regarding the construction on December 9, 2008. (Page 12, Line 14)
- Deappropriates the FY 2009 \$4.9 million appropriation from the RC3 for construction costs associated with Phase 1 of the Honey Creek Premier Destination Park. The funds are replaced with an FY 2009 RC2 appropriation. (Page 13, Line 2 and Page 14, Line 16)

TRANSFER FROM RIIF TO THE GENERAL FUND

- Transfers \$37.0 million from the RIIF to the State General Fund for FY 2009. (Page 13, Line 26)

RC2 APPROPRIATIONS

- Appropriates the following from the Endowment for Iowa's Health Restricted Capitals Fund (RC2) for FY 2009:
 - \$3.5 million to the Department of Corrections (DOC) for a community-based correctional facility in Davenport. (Page 14, Line 6)
 - \$2.8 million to the DOC for various capital improvement projects. (Page 14, Line 9)
 - \$5.1 million to the DED for community colleges Accelerated Career Education (ACE) Program capital projects. (Page 14, Line 12)
 - \$4.9 million to the DNR for various construction costs at Honey Creek Premier Destination Park. (Page 14, Line 16)
 - \$2.0 million to the DPS for construction of a State emergency response training facility. (Page 15, Line 2)
 - \$10.6 million to the Board of Regents for the Iowa Institute for Biomedical Discovery at the University of Iowa. (Page 15, Line 7)
 - \$11.3 million to the Board of Regents for a renewable fuels building at Iowa State University. (Page 15, Line 11)

EFFECTIVE DATES AND RETROACTIVITY

- Division II is effective on enactment and changes related to a new State office building are retroactive to December 9, 2008. (Page 15, Line 35)

EXECUTIVE SUMMARY FY 2009 APPROPRIATION ADJUSTMENTS ACT

HOUSE FILE 414

DIVISION III

JUDICIAL BRANCH APPROPRIATION ADJUSTMENT

GENERAL ASSEMBLY APPROPRIATION ADJUSTMENT

GENERAL APPROPRIATION ADJUSTMENTS

EFFECTIVE DATE

DIVISION IV

INNOVATIONS FUND TRANSFER

LOCAL GOVERNMENT INNOVATION FUND TRANSFER

UNDERGROUND STORAGE TANK FUND TRANSFER

EFFECTIVE DATE

DIVISION V

VARIOUS APPROPRIATION ADJUSTMENTS

ADDITIONAL APPROPRIATION REDUCTIONS

- Reduces the FY 2009 General Fund appropriation to the Judicial Branch from \$144.8 million to \$141.0 million. (Page 16, Line 8)
- Increases the FY 2009 reduction of the General Fund appropriation to the General Assembly from \$1.4 million to \$2.4 million. (Page 16, Line 29)
- Reduces the FY 2009 General Fund appropriations to the Executive Branch agencies by \$25.6 million. Specifies and defines that the reduction is for operational purposes. Exempts three Divisions of the Department of Commerce and the Racing and Gaming Commission from the reduction. Specifies that the Governor may adjust the reductions to individual appropriations without the statutory transfer notice process and, instead, provide a report to the Chairpersons and Ranking Members of the Appropriations Committees and the Legislative Services Agency. Specifies that the \$26.1 million from the reductions are considered reversions to the State General Fund. (Page 17, Line 3)
- Division III is effective on enactment and adjustments in Division III are made after the 1.5% across-the-board reduction ordered by the Governor on December 22, 2008. (Page 18, Line 4)

TRANSFERS

- Transfers \$4.5 million from the Innovations Fund to the State General Fund. (Page 18, Line 13)
- Transfers \$844,000 from the Local Government Innovation Fund to the State General Fund. (Page 18, Line 21)
- Transfers \$5.7 million from the Iowa Comprehensive Petroleum Underground Storage Tank Fund in FY 2009 to the State General Fund. (Page 18, Line 30)
- Division IV is effective on enactment. (Page 19, Line 4)

APPROPRIATION RESTORATIONS AND SUPPLEMENTS

- Makes the following FY 2009 supplemental General Fund appropriations:
 - \$5.6 million to the DOC for various correctional facility and other expenditures. (Page 19, Line 8 through Page 22, Line 17)
 - \$1.4 million to the DPS for various law enforcement and administrative activities. (Page 22, Line 18 through Page 23, Line 20)

**EXECUTIVE SUMMARY
FY 2009 APPROPRIATION ADJUSTMENTS ACT**

HOUSE FILE 414

**VARIOUS APPROPRIATION
ADJUSTMENTS (CONTINUED)**

- \$377,000 to the Department of Commerce for various Divisions. (Page 23, Line 21 through Page 24, Line 3)
- \$99,000 to the Racing and Gaming Commission for regulation of gambling operations. (Page 24, Line 4 through Page 24, Line 18)
- \$993,000 to the Department of Public Health for incidence and prevalence of communicable diseases (vaccinations). (Page 24, Line 19)
- \$2.6 million to the Department of Human Services for various county mental health appropriations. (Page 24, Line 31 through Page 26, Line 12)
- \$2.0 million to the DNR to repair flood damage. (Page 26, Line 13)
- \$313,000 to the Department of Workforce Development for various Division and Program expenditures. (Page 26, Line 30 through Page 27, Line 25)
- Transfers \$4.1 million from the State General Fund to the Fish and Game Protection Fund in FY 2009 to repair flood damage. (Page 27, Line 26)
- Appropriates \$156.7 million from the Federal Fiscal Year 2008 Community Development Block Grant federal funds deposited in the State Treasury to the DED for various disaster recovery expenditures. Permits the DED to retain up to 3.0% (\$4.7 million) for administrative costs. (Page 28, Line 2)
- Division V is effective on enactment. The Block Grant appropriation is retroactive to June 30, 2008. (Page 28, Line 22)

EFFECTIVE DATE

DIVISION VI

**LOCAL GOVERNMENT INNOVATION
COMMISSION AND FUND**

REPEAL OF FUNDS

- Changes the June 30, 2019, statutory repeal date for the Local Government Innovation Commission and related activities and definitions to July 1, 2010. (Page 28, Line 30)
- Repeals the Innovations Fund and the Local Government Innovation Fund and associated statutory language effective July 1, 2010. (Page 28, Line 35 through Page 29, Line 14)
- Transfers remaining funds from the Innovations Fund and the Local Government Innovation Fund to the State General Fund. (Page 29, Line 15)
- The majority of Division VI is effective on enactment. The transfers from the Innovations Fund and the Local Government Innovation Fund are effective July 1, 2009. (Page 29, Line 30)

EFFECTIVE DATE

**EXECUTIVE SUMMARY
FY 2009 APPROPRIATION ADJUSTMENTS ACT**

HOUSE FILE 414

DIVISION VII

**RETIREMENT WAGE
RECALCULATION**

REVERSION LIMITATIONS

**DELAY OF JUDICIAL
APPOINTMENTS**

EFFECTIVE DATE

ENACTMENT DATE

OTHER PROVISIONS

- Permits a member covered by the Iowa Public Employees' Retirement System to receive the three-year average covered wage retirement benefit based on a salary independent of the impact of employer-mandated reduction in hours incurred between January 1, 2009, and June 30, 2010. Requires the member to pay both the employee and employer shares. (Page 29, Line 35)
- Eliminates the opportunity for departments of State government to retain up to 50.0% of FY 2009 and FY 2010 reversions for training and technology. (Page 31, Lines 3 through 18)
- Permits the Chief Justice of the Supreme Court to delay, up to 180 days, for budgetary reasons, the nominating process for any judgeship or magistrate office that becomes vacant between the effective date of this Act (upon enactment) and June 30, 2009. (Page 31, Line 19)
- Division VII is effective on enactment. (Page 32, Line 5)
- This Act was approved by the General Assembly on March 5, 2009, and signed by the Governor on March 16, 2009.

House File 414

House File 414 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	3	1	Adds	Sec. 15E.361	Small Business Disaster Recovery Financial Assistance Program
1	35	2	Amends	Sec. 15F.204(8)(a)(5)	Transfer of Funds to Jumpstart Housing Assistance Program
2	9	3	Adds	Sec. 15G.111(9A)	Funding for Small Business Disaster Recovery Financial Assistance Program
2	20	4	Adds	Sec. 16.191	Jumpstart Housing Assistance Program Established
3	32	5	Nwthstnd	Sec. 469.9 or ALL	Power Fund Transfer to Housing Assistance Fund
4	10	6	Amends	Sec. 2.1(d), Chapter 1002, 2004 Iowa Acts, First Extraordinary Session	Transfer to the Community Attraction and Tourism Fund
4	23	7	Amends	Sec. 20, Chapter 1178, 2008 Iowa Acts	Transfer to the Housing Assistance Fund
5	10	8	Amends	Sec. 1.1(a), Chapter 1179, 2008 Iowa Acts	Transfer to the Housing Assistance Fund
5	21	8	Amends	Sec. 1.1(c), Chapter 1179, 2008 Iowa Acts	Transfer to the Housing Assistance Fund
5	31	9	Amends	Sec. 1.5(e), Chapter 1179, 2008 Iowa Acts	Transfer to the Housing Assistance Fund
6	7	10	Amends	Sec. 1.9(a), Chapter 1179, 2008 Iowa Acts	Transfer to the Housing Assistance Fund
7	15	11	Nwthstnd	Sec. 8.33	Nonreversion of Funds
7	26	12	Amends	Sec. 288.4(b), 2004 Iowa Acts, as amended	Rebuild Iowa Infrastructure Fund Deappropriation for Davenport Community-Based Correctional Facility
8	2	13	Amends	Sec. 5, Chapter 1179, 2006 Iowa Acts, as amended	Deappropriation of Funds for New State Office Building

Page #	Line #	Bill Section	Action	Code Section	Description
9	8	14	Amends	Sec. 16.1(b), Chapter 1179, 2006 Iowa Acts, as amended	Deappropriation of Tobacco Funds for New State Office Building
10	19	15	Amends	Sec. 1.1(j), Chapter 219, 2007 Iowa Acts	Deappropriation of Rebuild Iowa Infrastructure Funds for Vehicle Dispatch Fueling Station
10	25	16	Amends	Sec. 1.3(b), Chapter 219, 2007 Iowa Acts	Deappropriation of Rebuild Iowa Infrastructure Funds for Capital Improvement Projects at Correctional Facilities
10	31	17	Amends	Sec. 1.5(b), Chapter 219, 2007 Iowa Acts	Deappropriation of Rebuild Iowa Infrastructure Funds for Accelerated Career Education Program Capital Projects at Community Colleges
11	5	18	Amends	Sec. 1.12(b), Chapter 219, 2007 Iowa Acts	Deappropriation of Rebuild Iowa Infrastructure Funds for Construction of State Emergency Response Training Facility
11	11	19	Amends	Sec. 1.14(b), Chapter 219, 2007 Iowa Acts	Deappropriation of Rebuild Iowa Infrastructure Funds to Establish an Institute for Biomedical Discovery at the University of Iowa
11	19	20	Amends	Sec. 7.1(2), Chapter 219, 2007 Iowa Acts	Deappropriation of Rebuild Iowa Infrastructure Funds to Establish an Institute for Biomedical Discovery at the University of Iowa
11	28	19	Amends	Sec. 7.1(1-2), Chapter 219, 2007 Iowa Acts	Deappropriation of Rebuild Iowa Infrastructure Funds for Construction of a Renewable Fuels Building at Iowa State University
11	34	20	Amends	Sec. 1.5(a), Chapter 1179, 2008 Iowa Acts	Deappropriation of Rebuild Iowa Infrastructure Funds for Accelerated Career Education Program Capital Projects at Community Colleges
12	14	22	Amends	Sec. 18.1(a), Chapter 1179, 2008 Iowa Acts	Deappropriation of Restricted Capital Funds for New State Office Building
13	2	23	Amends	Sec. 18.5(c), Chapter 1179, 2008 Iowa Acts	Deappropriation of Restricted Capital Funds for Honey Creek Resort Park
15	24	25	Nwthstnd	Sec. 8.33	Nonreversion of Funds
16	8	27	Amends	Sec. 1.1, Chapter 1182, 2008 Iowa Acts	Judicial Branch Appropriation Reduction

Page #	Line #	Bill Section	Action	Code Section	Description
16	29	28	Amends	Sec. 3, Chapter 1191, 2008 Iowa Acts	Legislative Branch Appropriation Reduction
18	13	31	Nwthstnd	Sec. 8.63(1)	Transfer from the Innovations Fund to the General Fund
18	21	32	Nwthstnd	Sec. 8.67(1)	Transfer from the Local Government Innovation Fund to the General Fund
18	30	33	Nwthstnd	Sec. 455G.3(1)	Comprehensive Petroleum Underground Storage Tank Fund Transfer
19	17	35.1	Amends	Sec. 3.1, Chapter 1180, 2008 Iowa Acts	Supplemental Allocations for Adult Correctional Institutions
20	30	35.2	Amends	Sec. 4, Chapter 1180, 2008 Iowa Acts	Supplemental Appropriations to the Department of Corrections
21	18	35.3	Amends	Sec. 5.1, Chapter 1180, 2008 Iowa Acts	Supplemental Appropriations to Judicial District Departments
22	18	36	Amends	Sec. 14, Chapter 1180, 2008 Iowa Acts	Supplemental Appropriations to the Department of Public Safety
23	12	36	Nwthstnd	Sec. 8.33	Nonreversion of Funds
23	21	37	Amends	Sec. 7, Chapter 1184, 2008 Iowa Acts	Supplemental Appropriations to the Department of Commerce
24	4	38	Amends	Sec. 13, Chapter 1184, 2008 Iowa Acts	Supplemental Appropriations to the Racing and Gaming Commission
24	19	39	Amends	Sec. 2.7, Chapter 1187, 2008 Iowa Acts	Supplemental Appropriation to the Department of Public Health
24	31	40	Amends	Sec. Various	Supplemental Appropriations for Mental Health Services
26	13	41	Amends	Sec. 17, Chapter 1189, 2008 Iowa Acts	Supplemental Appropriation to the Department of Natural Resources
26	30	42	Amends	Sec. 16, Chapter 1190, 2008 Iowa Acts	Supplemental Appropriations to the Department of Workforce Development
28	30	46	Repeals	Sec. 8.64 through 8.67	Repeals Local Government Innovation Commission and Fund
28	35	47	Amends	Sec. 8A.123(2)	Internal Service Funds
29	14	48	Repeals	Sec. 8.63 and 8.69	Repeals the Innovations Fund and the Local Government Innovations Fund

Page #	Line #	Bill Section	Action	Code Section	Description
29	15	49	Nwthstnd	Sec. ALL	Transfers Balances of Innovations Fund and Local Government Innovations Fund to the General Fund
29	35	51	Nwthstnd	Sec. ALL, Chapter 97B	IPERS - Temporary Layoffs
31	3	52	Nwthstnd	Sec. 8.62	Use of Reversions - FY 2009
31	11	53	Nwthstnd	Sec. 8.62	Use of Reversions - FY 2010
31	19	54	Nwthstnd	Sec. 46.12, 602.6304, 602.7103B, 633,20B, and 602.6403(3)	Judicial Appointment Delay

1 1 DIVISION I
1 2 JUMPSTART AND SMALL BUSINESS ASSISTANCE PROGRAMS

1 3 Section 1. NEW SECTION . 15E.361 SMALL BUSINESS DISASTER
1 4 RECOVERY FINANCIAL ASSISTANCE PROGRAM.

1 5 1. The department shall establish and administer a small
1 6 business disaster recovery financial assistance program.
1 7 Under the program, the department shall provide grants to
1 8 administrative entities for purposes of providing financial
1 9 assistance to eligible businesses that sustained physical
1 10 damage or economic loss due to a natural disaster occurring
1 11 after May 24, 2008, and before August 14, 2008. Moneys shall
1 12 be allocated to administrative entities on the basis of the
1 13 percentage of disaster loans awarded by the United States
1 14 small business administration to businesses located within a
1 15 city's jurisdiction or a disaster recovery area as defined by
1 16 the department.

1 17 2. An eligible business is a business that sustained
1 18 physical damage or economic loss due to a natural disaster
1 19 occurring after May 24, 2008, and before August 14, 2008, and
1 20 has executed loan documents for a disaster loan from an
1 21 eligible lender as defined by the department. Financial
1 22 assistance shall be in the form of forgivable loans and
1 23 reimbursement for acquisition of energy=efficient equipment.
1 24 The maximum amount of a forgivable loan is twenty=five percent
1 25 of the loan amount from the eligible lender up to a maximum of
1 26 fifty thousand dollars. Up to an additional five thousand
1 27 dollars of assistance shall be available for the reimbursement
1 28 of energy=efficient purchases and installation.

1 29 3. As determined by the department, unused or unobligated
1 30 moneys may be reclaimed and reallocated by the department to
1 31 other administrative agencies.

1 32 4. For purposes of this section, "administrative entity"
1 33 means cities identified by the department that administer
1 34 local disaster recovery programs and councils of government.

CODE: Requires the Department of Economic Development to establish a Small Business Disaster Recovery Financial Assistance Program. Requires the Department to provide grants to "administrative entities," defined as cities and councils of government that administer local disaster recovery programs. The grants are to be distributed based on the percentage of disaster loans awarded by the United States Small Business Administration to businesses within a city jurisdiction or a disaster recovery area. Eligible businesses must have sustained damage from a natural disaster occurring after May 24, 2008, and prior to August 14, 2008, and have executed loan documents for a disaster loan from an eligible lender. Financial assistance is to be in the form of forgivable loans and reimbursement for purchase of energy-efficient equipment. The maximum forgivable loan is \$50,000. An additional \$5,000 of assistance is available for reimbursement of energy-efficient purchases and installation. Unused or unobligated funds may be reclaimed by the DED and reallocated to other administrative agencies.

DETAIL: This codifies this Program as initiated by action of the Governor.

1 35 Sec. 2. Section 15F.204, subsection 8, paragraph a,

CODE: Transfers \$1,900,000 of the \$12,000,000 Rebuild Iowa

2 1 subparagraph (5), Code 2009, is amended to read as follows:
 2 2 (5) For the fiscal year beginning July 1, 2008, and ending
 2 3 June 30, 2009, the sum of twelve million dollars.
 2 4 Notwithstanding any provision to the contrary, of the amount
 2 5 appropriated in this subparagraph, one million nine hundred
 2 6 thousand dollars is transferred to the housing assistance fund
 2 7 to be used for the jumpstart housing assistance program
 2 8 established pursuant to section 16.191.

Infrastructure Fund (RIIF) appropriation for FY 2009 to the Community Attraction and Tourism (CAT) Fund to the Housing Assistance Fund for the Jumpstart Housing Assistance Program.

2 9 Sec. 3. Section 15G.111, Code 2009, is amended by adding
 2 10 the following new subsection:
 2 11 NEW SUBSECTION . 9A. Each appropriation made in
 2 12 subsections 1 through 9 for the fiscal year beginning July 1,
 2 13 2008, and ending June 30, 2009, is reduced by twenty percent.
 2 14 There is appropriated from the grow Iowa values fund created
 2 15 in section 15G.108 to the department of economic development
 2 16 for the fiscal year beginning July 1, 2008, and ending June
 2 17 30, 2009, ten million dollars to be used for the small
 2 18 business disaster recovery financial assistance program
 2 19 established pursuant to section 15E.361.

CODE: Reduces the following FY 2009 appropriations totaling \$50,000,000 from the Grow Iowa Values Fund by 20.00% (\$10,000,000) and appropriates \$10,000,000 from the Grow Iowa Values Fund to the DED for the Small Business Disaster Recovery Financial Assistance Program.

1. \$30,000,000 to the DED for the Targeted Small Business Financial Assistance Program, the Community Economic Betterment Program, the Entrepreneurial Ventures Assistance Program, the Physical Infrastructure Financial Assistance Program, and the Loan and Credit Guarantee program.
2. \$5,000,000 to the DED for transfer to the Board of Regents for capacity building infrastructure and other efforts in areas related to technology commercialization.
3. \$1,000,000 to the DED for financial assistance for projects in targeted State parks, State banner parks, and destination parks.
4. \$1,000,000 to the State Treasurer for deposit in the Iowa Cultural Trust Fund.
5. \$7,000,000 to the DED for deposit in the workforce training and economic development funds of the community colleges.
6. \$1,000,000 to the DED for providing economic development region financial assistance.
7. \$2,000,000 to the DED for deposit in the Renewable Fuel Infrastructure Fund.
8. \$3,000,000 to the DED to provide commercialization services.

2 20 Sec. 4. NEW SECTION . 16.191 JUMPSTART HOUSING ASSISTANCE
 2 21 PROGRAM.
 2 22 1. The Iowa finance authority shall establish and

CODE: Requires the Iowa Finance Authority to establish and administer a Jumpstart Housing Assistance Program. The Authority is to provide grants to local governments for distribution to eligible

2 23 administer a jumpstart housing assistance program. Under the
2 24 program, the authority shall provide grants to local
2 25 government participants for purposes of distributing the
2 26 moneys to eligible residents for eligible purposes which
2 27 relate to disaster=affected homes.
2 28 2. An eligible resident is a person residing in a
2 29 disaster=affected home who is the owner of record of a right,
2 30 title, or interest in the disaster=affected home and who has
2 31 been approved by the federal emergency management agency for
2 32 housing assistance. An eligible resident must have a family
2 33 income equal to or less than one hundred fifty percent of the
2 34 area median family income.
2 35 3. Eligible purposes include forgivable loans for down
3 1 payment assistance, emergency housing repair or
3 2 rehabilitation, and interim mortgage assistance. An eligible
3 3 resident who receives a forgivable loan may also receive
3 4 energy efficiency assistance which shall be added to the
3 5 principal of the forgivable loan.
3 6 4. A local government participant may retain a portion of
3 7 the grant moneys for administrative purposes as provided in a
3 8 grant agreement between the authority and the local government
3 9 participant.
3 10 5. Any money paid to a local government participant by an
3 11 eligible resident shall be remitted to the authority for
3 12 deposit in the housing assistance fund created in section
3 13 16.40.
3 14 6. As determined by the authority, unused or unobligated
3 15 moneys may be reclaimed and reallocated by the authority to
3 16 other local government participants.
3 17 7. As used in this section, unless the context otherwise
3 18 requires:
3 19 a. "Disaster=affected home" means a primary residence that
3 20 was destroyed or damaged due to a natural disaster occurring
3 21 after May 24, 2008, and before August 14, 2008.
3 22 b. "Local government participant" means the cities of
3 23 Ames, Cedar Falls, Cedar Rapids, Council Bluffs, Davenport,
3 24 Des Moines, Dubuque, Iowa City, Waterloo, and West Des Moines;
3 25 a council of governments whose territory includes at least one

owners of disaster-affected homes. Specifies eligibility and requirements for participation. Unused or unobligated funds may be reclaimed by the DED and reallocated to other administrative agencies.

DETAIL: This codifies this Program as initiated by action of the Governor.

3 26 county that was declared a disaster area by the president of
 3 27 the United States after May 24, 2008, and before August 14,
 3 28 2008; and any county that is not part of any council of
 3 29 governments and was declared a disaster area by the president
 3 30 of the United States after May 24, 2008, and before August 14,
 3 31 2008.

3 32 Sec. 5. POWER FUND == HOUSING ASSISTANCE. Of the amount
 3 33 appropriated from the general fund of the state to the power
 3 34 fund pursuant to section 469.10, subsection 1, for the fiscal
 3 35 year beginning July 1, 2008, and ending June 30, 2009, the
 4 1 following amount, or so much thereof as is necessary, is
 4 2 transferred to the Iowa finance authority to be used for the
 4 3 purposes designated:
 4 4 To be credited to the housing assistance fund to be used
 4 5 for the jumpstart housing assistance program established
 4 6 pursuant to section 16.191, as enacted by this Act,
 4 7 notwithstanding contrary provisions of section 469.9 or any
 4 8 other provision of law:
 4 9 \$ 2,500,000

CODE: Transfers \$2,500,000, or the amount necessary, from the Power Fund to the Housing Assistance Fund for the Jumpstart Housing Assistance Program for FY 2009.

DETAIL: The Power Fund receives an annual appropriation of \$25,000,000 from the General Fund for each fiscal year for FY 2009 through FY 2011.

4 10 Sec. 6. 2004 Iowa Acts, First Extraordinary Session,
 4 11 chapter 1002, section 2, subsection 1, paragraph d, is amended
 4 12 to read as follows:
 4 13 d. (1) For deposit in the loan and credit guarantee fund
 4 14 created in section 15E.227:
 4 15 \$ 5,728,402
 4 16 (2) Of the amount appropriated in subparagraph (1), \$1,785
 4 17 shall be expended pursuant to contracts or approved projects
 4 18 or activities validated in this division of this Act.
 4 19 (3) Notwithstanding any provision to the contrary,
 4 20 \$1,900,000 of the amount appropriated in subparagraph (1) is
 4 21 transferred to the community attraction and tourism fund
 4 22 created in section 15F.204.

CODE: Permits \$1,900,000 of the funds deposited in the Loan and Credit Guarantee Fund to be transferred to the Community Attraction and Tourism Fund.

DETAIL: The funds deposited in the Loan and Credit Guarantee Fund were appropriated from the Federal Economic Stimulus and Jobs Holding Fund for FY 2005.

4 23 Sec. 7. 2008 Iowa Acts, chapter 1178, section 20, is

CODE: Transfers the \$2,000,000 appropriation of interest from the

4 24 amended to read as follows:
 4 25 SEC. 20. RIVER ENHANCEMENT COMMUNITY ATTRACTION AND
 4 26 TOURISM FUND == APPROPRIATION. There is appropriated from any
 4 27 interest or earnings on moneys in the federal economic
 4 28 stimulus and jobs holding fund for deposit in the river
 4 29 enhancement community attraction and tourism fund created in
 4 30 section 15F.205 for the fiscal year beginning July 1, 2008,
 4 31 and ending June 30, 2009, the following amount, or so much
 4 32 thereof as is necessary, to be used for the purpose
 4 33 designated:
 4 34 For financial assistance to applicants under section
 4 35 15F.205:
 5 1 \$ 2,000,000
 5 2 Notwithstanding any provision to the contrary, all of the
 5 3 amount appropriated in this section is transferred to the
 5 4 housing assistance fund to be used for the jumpstart housing
 5 5 assistance program established pursuant to section 16.191, if
 5 6 enacted by the Eighty-third General Assembly, 2009 Session.

5 7 Sec. 8. 2008 Iowa Acts, chapter 1179, section 1,
 5 8 subsection 1, paragraphs a and c, are amended to read as
 5 9 follows:

5 10 a. For routine maintenance of state buildings and
 5 11 facilities, notwithstanding section 8.57, subsection 6,
 5 12 paragraph "c":
 5 13 \$ 3,000,000
 5 14 Notwithstanding any provision to the contrary, \$1,600,000
 5 15 of the amount appropriated in this lettered paragraph is
 5 16 transferred to the Iowa finance authority to be credited to
 5 17 the housing assistance fund to be used for the jumpstart
 5 18 housing assistance program established pursuant to section
 5 19 16.191, if enacted by the Eighty-third General Assembly, 2009
 5 20 Session.

5 21 c. To provide funding and related services for capitol

Federal Economic Stimulus and Jobs Holding Fund, that was to be deposited in the River Enhancement Community Attraction and Tourism Fund, to the Housing Assistance Fund to be used for the Jumpstart Housing Assistance Program.

CODE: Transfers \$1,600,000 of the \$3,000,000 appropriation for FY 2009 from the Rebuild Iowa Infrastructure Fund (RIIF) to the Housing Assistance Fund for the Jumpstart Housing Assistance Program for FY 2009.

DETAIL: The FY 2009 appropriation of \$3,000,000 to the Department of Administrative Services (DAS) for routine maintenance was a decrease of \$2,000,000 compared to the estimated FY 2008 appropriation. The funds are allocated by the DAS to State agencies based on the square footage of building space. The method of allocation was established through a policy of the Governor's Vertical Infrastructure Advisory Committee.

CODE: Transfers \$1,000,000 of the FY 2009 RIIF appropriation to

5 22 complex property acquisition, notwithstanding section 8.57,
 5 23 subsection 6, paragraph "c":
 5 24 \$ 1,000,000
 5 25 Notwithstanding any provision to the contrary, the amount
 5 26 appropriated in this lettered paragraph is transferred to the
 5 27 Iowa finance authority to be credited to the housing
 5 28 assistance fund to be used for the jumpstart housing
 5 29 assistance program established pursuant to section 16.191, if
 5 30 enacted by the Eighty-third General Assembly, 2009 Session.

the DAS for property acquisition to the Housing Assistance Fund for the Jumpstart Housing Assistance Program.

DETAIL: The funds for property acquisition are used for appraisals, environmental assessments, and the purchase of property located adjacent to the Capitol Complex that becomes available on the market and is consistent with the Capitol Complex Master Plan. The DAS received \$1,000,000 in FY 2008 for property acquisition and has designated \$527,000 of that appropriation for the purchase of Mercy Capitol Hospital.

5 31 Sec. 9. 2008 Iowa Acts, chapter 1179, section 1,
 5 32 subsection 5, paragraph e, is amended to read as follows:
 5 33 e. For deposit into the river enhancement community
 5 34 attraction and tourism fund created in ~~2008 Iowa Acts, Senate~~
 5 35 ~~File 2430, if enacted~~ section 15F.205 :
 6 1 \$ 10,000,000
 6 2 Notwithstanding any provision to the contrary, all of the
 6 3 amount appropriated in this section is transferred to the
 6 4 housing assistance fund to be used for the jumpstart housing
 6 5 assistance program established pursuant to section 16.191, if
 6 6 enacted by the Eighty-third General Assembly, 2009 Session.

CODE: Transfers the entire \$10,000,000 of the FY 2009 RIIF appropriation to the Department of Economic Development River Enhancement Community Attraction and Tourism Fund to the Housing Assistance Fund for the Jumpstart Housing Assistance Program.

DETAIL: Senate File 2430 (FY 2009 Economic Stimulus Act) created the River Enhancement Community Attraction and Tourism (RECAT) Fund for the creation and enhancement of community attractions and tourism opportunities along lakes, rivers, and river corridors in cities throughout Iowa. The FY 2009 RIIF appropriation was the first of five fiscal years of funding appropriated from the RIIF. Senate File 2432 (FY 2009 Infrastructure Appropriations Act) appropriated \$10,000,000 annually to the RECAT Fund for FY 2009 through FY 2013.

6 7 Sec. 10. 2008 Iowa Acts, chapter 1179, section 1,
 6 8 subsection 9, paragraph a, is amended to read as follows:
 6 9 a. For purposes of supporting a lowhead dam public hazard
 6 10 improvement program, notwithstanding section 8.57, subsection
 6 11 6, paragraph "c":
 6 12 \$ 1,000,000
 6 13 The department shall award grants to dam owners including
 6 14 counties, cities, state agencies, cooperatives, and
 6 15 individuals, to support projects approved by the department.
 6 16 The department shall require each dam owner applying for a
 6 17 project grant to submit a project plan for the expenditure of

CODE: Transfers the entire \$1,000,000 of the FY 2009 RIIF appropriation to the Department of Natural Resources (DNR) Low Head Dam Public Hazard Improvement Program to the Housing Assistance Fund for the Jumpstart Housing Assistance Program. Requires the DNR to defer implementation of the Program unless other funding is made available.

DETAIL: The FY 2009 appropriation was a new appropriation for a new DNR Program. The funds were to be used by the Department to award grants to dam owners, including State and local government entities and private owners, to improve low head dam safety. Senate File 2430 (FY 2009 Economic Stimulus Act) appropriated \$250,000 to

6 18 the moneys, and file a report with the department regarding
 6 19 the project, as required by the department.
 6 20 The funds can be used for signs, posts, and related
 6 21 cabling, and the department shall only award money on a
 6 22 matching basis, pursuant to the dam owner contributing at
 6 23 least 20 cents for every 80 cents awarded by the department,
 6 24 in order to finance the project. For the remainder of the
 6 25 funds, including any balance of money not awarded for signs,
 6 26 posts, and related cabling, the department shall only award
 6 27 moneys to a dam owner on a matching basis. A dam owner shall
 6 28 contribute one dollar for each dollar awarded by the
 6 29 department in order to finance a project.
 6 30 Notwithstanding any provision to the contrary, the
 6 31 department of natural resources shall defer implementation of
 6 32 the lowhead dam public hazard improvement program unless other
 6 33 funding is made available for the program. The amount
 6 34 appropriated in this lettered paragraph is transferred to the
 6 35 Iowa finance authority to be credited to the housing trust
 7 1 fund to be used for the jumpstart housing assistance program
 7 2 established pursuant to section 16.191, if enacted by the
 7 3 Eighty-third General Assembly, 2009 Session.

the Department to establish and administer a water trails and low head dam public hazard improvement plan throughout the State.

7 4 Sec. 11. EFFECTIVE DATE == APPLICABILITY.
 7 5 1. This division of this Act, being deemed of immediate
 7 6 importance, takes effect upon enactment, and is retroactively
 7 7 applicable to July 1, 2008, for the fiscal year beginning on
 7 8 that date.
 7 9 2. The appropriations and transfers made in this division
 7 10 of this Act apply in lieu of any transfers for the jumpstart
 7 11 housing assistance and small business assistance programs or
 7 12 from the loan and credit guarantee fund made by the executive
 7 13 branch, as reported by the department of management in the
 7 14 fiscal year beginning July 1, 2008.

This Division is effective on enactment and retroactive to July 1, 2008. States that the appropriations and transfers in this Act are applicable in lieu of those reported by the Department of Management for FY 2009.

7 15 3. Notwithstanding section 8.33, moneys appropriated or
 7 16 allocated in this division of this Act to the department of

CODE: Requires nonreversion of funds.

7 17 economic development for purposes of the small business
 7 18 disaster recovery and financial assistance program that remain
 7 19 unencumbered or unobligated at the close of the fiscal year
 7 20 shall not revert but shall remain available for expenditure
 7 21 for the purposes designated until the close of the succeeding
 7 22 fiscal year.

7 23 DIVISION II

7 24 CAPITAL APPROPRIATION REVISIONS

7 25 REBUILD IOWA INFRASTRUCTURE FUND == APPROPRIATION REDUCTION

7 26 Sec. 12. 2004 Iowa Acts, chapter 1175, section 288,
 7 27 subsection 4, paragraph b, as amended by 2006 Iowa Acts,
 7 28 chapter 1179, section 29, is amended to read as follows:

7 29 b. For construction of a community-based correctional
 7 30 facility, including district offices, in Davenport:

7 31 FY 2004=2005..... \$ 3,000,000

7 32 FY 2005=2006..... \$ ~~3,750,000~~

7 33 291,783

7 34 FY 2006=2007..... \$ 0

CODE: Deappropriates \$3,458,217 of the FY 2006 appropriation to the Department of Corrections for the Community-Based Correctional (CBC) facility at Davenport by reducing the amount from \$3,750,000 to \$291,783.

DETAIL: The FY 2006 appropriation remained mostly unobligated due to delays with the construction project for the Davenport CBC facility. Section 25 of this Act appropriates \$3,458,217 for FY 2009 from the Endowment for Iowa's Health Restricted Capitals Fund (RC2) for the Davenport project, maintaining the initial amount of funding. Senate File 2298 (FY 2005 Omnibus Appropriations Act), as amended by HF 2782 (FY 2007 Infrastructure Appropriations Act), appropriated a total of \$10,500,000 over three fiscal years for the Davenport facility.

7 35 NEW STATE OFFICE BUILDING == APPROPRIATIONS

8 1 ELIMINATED AND REDUCED

8 2 Sec. 13. 2006 Iowa Acts, chapter 1179, section 5, as
 8 3 amended by 2007 Iowa Acts, chapter 219, section 22, 2008 Iowa
 8 4 Acts, chapter 1176, section 6, and 2008 Iowa Acts, chapter
 8 5 1179, section 29, is amended to read as follows:

8 6 SEC. 5. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is
 8 7 appropriated from the rebuild Iowa infrastructure fund to the
 8 8 department of administrative services for the designated

CODE: Deappropriates an FY 2010 RIIF appropriation to the DAS for the new State Office Building. Requires the DAS to cancel existing activities pertaining to the building as of December 9, 2008, and defer further activities until authorized by law.

DETAIL: The FY 2010 appropriation was the last of several years of planned funding totaling \$70,242,100 for the new State Office

8 9 fiscal years, the following amounts, or so much thereof as is
 8 10 necessary, to be used for the purposes designated:
 8 11 For planning, design, and construction of a new state
 8 12 office building, including costs associated with furnishing
 8 13 the building:
 8 14 FY 2007=2008..... \$ 0
 8 15 FY 2008=2009..... \$ 0
 8 16 FY 2009=2010..... \$ 12,657,100
 8 17 0
 8 18 ~~The location, design, plans and specifications, and~~
 8 19 ~~occupants of the building shall be determined jointly by the~~
 8 20 ~~executive council and the department of administrative~~
 8 21 ~~services in consultation with the capitol planning commission~~
 8 22 ~~following an analysis of space needs to be completed no later~~
 8 23 ~~than January 1, 2009. Recommendations for the design, plans~~
 8 24 ~~and specifications, and occupants shall be presented to the~~
 8 25 ~~general assembly and the governor for approval by the start of~~
 8 26 ~~the 2009 legislative session.~~
 8 27 ~~Notwithstanding section 8.33, moneys appropriated in this~~
 8 28 ~~section shall not revert at the close of the fiscal year for~~
 8 29 ~~which they were appropriated but shall remain available for~~
 8 30 ~~the purposes designated until the close of the fiscal year~~
 8 31 ~~that begins July 1, 2011, or until the project for which the~~
 8 32 ~~appropriation was made is completed, whichever is earlier.~~
 8 33 ~~The design specifications of the new state office building~~
 8 34 ~~shall include, at a minimum, energy efficiency specifications~~
 8 35 ~~that exceed state building code requirements and have the~~
 9 1 ~~potential for leadership in energy and environmental design~~
 9 2 ~~silver certification from the United States green building~~
 9 3 ~~council.~~
 9 4 Effective December 9, 2008, the department shall cancel
 9 5 existing activities pertaining to the new state office
 9 6 building addressed by this section and shall defer further
 9 7 activities until specifically authorized by law.

Building. House File 2782 (FY 2007 Infrastructure Appropriations Act), as amended by HF 911 (FY 2008 Infrastructure Appropriations Act), SF 2347 (FY 2008 Supplemental - Optical Scan Voting System Act), and Senate File 2432 (FY 2009 Infrastructure Appropriations Act), provided appropriations as follows:

- \$37,585,000 in FY 2007 from the RC2
- \$20,000,000 in FY 2009 from the RC3
- \$12,657,100 in FY 2010 from the RIIF

Sections 14 and 22 of this Act deappropriate most of the FY 2007 appropriation and the entire FY 2009 appropriation, respectively.

Requires the DAS to cancel existing activities pertaining to the building as of December 9, 2008, and defer further activities until authorized by law.

9 8 Sec. 14. 2006 Iowa Acts, chapter 1179, section 16,
 9 9 subsection 1, paragraph b, as amended by 2007 Iowa Acts,

CODE: Deappropriates \$36,923,898 from the FY 2007 RC2 appropriation to the DAS for the new State Office Building by reducing

9 10 chapter 219, section 23, is amended to read as follows:
9 11 b. For planning, design, and construction costs associated
9 12 with the construction of a new approximately
9 13 350,000=gross=square=foot state office building:
9 14 \$ ~~37,585,000~~
9 15 661,102
9 16 (1) Of the amount appropriated in this lettered paragraph,
9 17 up to \$750,000 may be used by the department to provide an
9 18 earnest deposit on the purchase of no more than ten acres of
9 19 certain property adjacent to the capitol complex and generally
9 20 located north of grand avenue and between east 12th and east
9 21 14th street, if such purchase is made; to provide for parking
9 22 lot improvements necessary to facilitate an exchange of
9 23 property consistent with the planned construction of the new
9 24 state office building; and to provide for the demolition of a
9 25 structure located on the property to be used for the
9 26 construction of the new state office building or to provide
9 27 for the sale by auction and relocation of such structure in an
9 28 effort to reduce or eliminate the costs associated with the
9 29 removal of such structure from the property. Any amount
9 30 received from the sale of a structure as permitted under this
9 31 lettered paragraph shall be retained by the department for the
9 32 use specified for the moneys appropriated pursuant to this
9 33 lettered paragraph.
9 34 (2) Upon the department's decision to purchase property as
9 35 described in subparagraph (1), the department shall determine
10 1 the feasibility of including all or a portion of any amount
10 2 expended pursuant to subparagraph (1) in the financing
10 3 mechanism to be used by the department to complete such
10 4 purchase. The department shall provide a report to the
10 5 department of management and the legislative services agency
10 6 that includes the results of the department's determination.
10 7 Notwithstanding provisions of law to the contrary, the
10 8 department is hereby authorized to honor and maintain existing
10 9 leases located on property to be acquired by the department if
10 10 such property is acquired, as long as such leased property is
10 11 used for providing health care and pharmaceutical services to
10 12 citizens in the community. Such leases may be maintained for

the amount from \$37,585,000 to \$661,102.

DETAIL: Most of the FY 2007 appropriation for the new State Office building remained unobligated while the project was in the design phase. Sections 13 and 22 of this Act deappropriate the FY 2010 and FY 2009 appropriations, respectively. The funding in the RC2 needs to be expended by November 2010 because of its restricted capital status. Section 25 of this Act appropriates several projects from the RC2 that are deappropriated from the RIIF in several sections of this Act to use the tax-exempt funds.

10 13 a period deemed appropriate by the director of the department,
 10 14 but in no case shall such leases continue or be renewed for a
 10 15 period of more than ten years or if a lessee of the property
 10 16 ceases to occupy such property or provide such services.

10 17 REBUILD IOWA INFRASTRUCTURE FUND == APPROPRIATIONS
 10 18 ELIMINATED AND REDUCED

10 19 Sec. 15. 2007 Iowa Acts, chapter 219, section 1,
 10 20 subsection 1, paragraph j, is amended to read as follows:
 10 21 j. For costs associated with the relocation of the vehicle
 10 22 dispatch fueling station:
 10 23 \$ ~~350,000~~
 10 24 839

CODE: Deappropriates \$349,161 from the FY 2008 RIIF appropriation for the DAS to relocate the State vehicle fueling station by reducing the amount from \$350,000 to \$839.

DETAIL: The funds were intended to relocate the State vehicle dispatch and fleet fueling station from East 7th Street and Court Avenue to a new location. The project has been on hold pending the designation of a suitable location, and only a small amount of the appropriation had been expended. The Capitol Complex Master Planning process will play a role in determining the decision for a potential future location.

10 25 Sec. 16. 2007 Iowa Acts, chapter 219, section 1,
 10 26 subsection 3, paragraph b, is amended to read as follows:
 10 27 b. For capital improvement projects at correctional
 10 28 facilities:
 10 29 \$ ~~5,495,000~~
 10 30 2,697,624

CODE: Deappropriates \$2,797,376 from the FY 2008 RIIF appropriation for the Department of Corrections for capital improvement projects by reducing the amount from \$5,495,000 to \$2,697,624.

DETAIL: The plans for the funds include \$2,000,000 to upgrade the security at all correctional institutions based on the security audit, \$2,000,000 to replace the boilers at Anamosa State Penitentiary, and \$1,495,000 for replacement of the hot water main and electrical distribution upgrades at the Newton Correctional Facility. Section 25 of this Act appropriates \$3,458,217 to the project for FY 2009 from the RC2, maintaining the initial amount of the appropriation.

10 31 Sec. 17. 2007 Iowa Acts, chapter 219, section 1,
 10 32 subsection 5, paragraph b, unnumbered paragraph 1, is amended
 10 33 to read as follows:

CODE: Deappropriates \$4,225,000 from the FY 2008 RIIF appropriation to the Department of Economic Development (Department of Economic Development) for vertical infrastructure improvements at community colleges associated with implementing

10 34 For accelerated career education program capital projects
 10 35 at community colleges that are authorized under chapter 260G
 11 1 and that meet the definition of "vertical infrastructure" in
 11 2 section 8.57, subsection 6, paragraph "c":
 11 3 \$ 5,500,000
 11 4 1,275,000

the Accelerated Career Education (ACE) Program by reducing the amount from \$5,500,000 to \$1,275,000.

DETAIL: The ACE Program includes a contribution by businesses and prospective employers for 20.00% of the costs associated with the specific training program costs. The businesses qualify to offset these matching fund costs with State income tax credits. Students are not employees of the businesses when taking the training class, but may look for work in the sponsoring business after graduation from the Program. Projects funded by the State's appropriation must meet the definition of vertical infrastructure. In previous fiscal years, the funds were used to build a new building for the Gas Utility Technology Program, remodel and expand a nursing and science lab space, expand a health care building for classroom and lab space, remodel and add to existing maintenance electrician space, and build a Biotechnology Lab.

Section 21 of this Act deappropriates the FY 2009 RIIF appropriation of \$900,000 for this project. Section 25 appropriates \$5,125,000 to the ACE Program for FY 2009 from the RC2, maintaining the initial amounts of the FY 2008 and FY 2009 appropriations. Senate File 2432 (FY 2009 Infrastructure Appropriations Act) appropriated \$4,600,000 from the RC2 for FY 2009, in addition to the \$900,000 from the RIIF.

11 5 Sec. 18. 2007 Iowa Acts, chapter 219, section 1,
 11 6 subsection 12, paragraph b, is amended to read as follows:
 11 7 b. For construction of a state emergency response training
 11 8 facility to be located in merged area XI:
 11 9 \$ 2,000,000
 11 10 0

CODE: Deappropriates an FY 2008 RIIF appropriation to the Department of Public Safety for a State emergency response training facility.

DETAIL: The funds were intended for the planning, design, and construction of a State emergency response training facility. The entire amount remains unobligated due to delays and issues during the planning phase of the project. Section 25 appropriates \$2,000,000 to the project for FY 2009 from the RC2, maintaining the initial amount of the appropriation.

11 11 Sec. 19. 2007 Iowa Acts, chapter 219, section 1,
 11 12 subsection 14, paragraph b, is amended to read as

CODE: Deappropriates \$550,000 from the FY 2008 appropriation to the Board of Regents for the construction of the Institute of Biomedical

11 13 follows:	Discovery at the University of Iowa.
11 14 b. For costs associated with the establishment of	
11 15 the Iowa institute for biomedical discovery at the	DETAIL: House File 911 (FY 2008 Infrastructure Appropriations Act)
11 16 state university of Iowa:	appropriated a total of \$30,000,000 over three fiscal years for the
11 17 \$ 10,000,000	Institute of Biomedical Discovery. Section 25 appropriates
11 18 <u>9,450,000</u>	\$10,550,000 from the RC2 for FY 2009, maintaining the full amounts
	of the FY 2008 and FY 2009 appropriations.
11 19 Sec. 20. 2007 Iowa Acts, chapter 219, section 7,	
11 20 subsection 1 and subsection 2, unnumbered paragraph 1, are	CODE: Deappropriates \$10,000,000 from the FY 2009 appropriation
11 21 amended to read as follows:	to the Board of Regents for the construction of the Institute of
11 22 1. For costs associated with the establishment of the Iowa	Biomedical Discovery at the University of Iowa.
11 23 institute for biomedical discovery at the state university of	
11 24 Iowa:	DETAIL: House File 911 (FY 2008 Infrastructure Appropriations Act)
11 25 FY 2008=2009..... \$ 10,000,000	appropriated a total of \$30,000,000 over three fiscal years for the
11 26 <u>0</u>	Institute of Biomedical Discovery. Section 25 appropriates
11 27 FY 2009=2010..... \$ 10,000,000	\$10,550,000 from the RC2 for FY 2009, maintaining the full amounts
	of the FY 2008 and FY 2009 appropriations.
11 28 For planning, design, and construction costs associated	
11 29 with the construction of a new renewable fuels building at	CODE: Deappropriates \$11,277,000 from the FY 2009 RIIIF
11 30 Iowa state university of science and technology:	appropriation to the Board of Regents for the construction of a
11 31 FY 2008=2009..... \$ 14,756,000	Biorenewables Building at Iowa State University by reducing the
11 32 <u>3,479,000</u>	amount from \$14,756,000 to \$3,479,000.
11 33 FY 2009=2010..... \$ 11,597,000	
	DETAIL: House File 911 (FY 2008 Infrastructure Appropriations Act)
11 34 Sec. 21. 2008 Iowa Acts, chapter 1179, section 1,	appropriated a total of \$32,000,000 over three fiscal years for the
11 35 subsection 5, paragraph a, is amended to read as follows:	project. Section 25 of this Act appropriates \$11,277,000 from the
12 1 a. For accelerated career education program capital	RC2 for FY 2009, maintaining the full amount of the FY 2009
12 2 projects at community colleges that are authorized under	appropriation.
12 3 chapter 260G and that meet the definition of "vertical	
12 4 infrastructure" in section 8.57, subsection 6, paragraph "c":	CODE: Deappropriates an FY 2009 RIIIF appropriation to the
12 5 \$ 900,000	Department of Economic Development for vertical infrastructure
12 6 <u>0</u>	improvements at community colleges associated with implementing
	the Accelerated Career Education (ACE) Program. Strikes language
	related to the allocation of the moneys appropriated.
	DETAIL: Section 17 of this Act reduces the FY 2008 RIIIF
	appropriation for this project by \$4,225,000. Section 25 appropriates

12 7 ~~The moneys appropriated in this lettered paragraph shall be~~
 12 8 ~~allocated equally among the community colleges in the state.~~
 12 9 ~~If any portion of the equal allocation to a community college~~
 12 10 ~~is not obligated or encumbered by April 1, 2009, the~~
 12 11 ~~unobligated and unencumbered portions shall be made available~~
 12 12 ~~by the department for use by other community colleges.~~

\$5,125,000 to the project for FY 2009 from the RC2, maintaining the initial amounts of the FY 2008 and FY 2009 appropriations. Senate File 2432 (FY 2009 Infrastructure Appropriations Act) appropriated \$4,600,000 from the RC2 for FY 2009, in addition to the \$900,000 from the RIIF.

12 13 NEW STATE OFFICE BUILDING == APPROPRIATION ELIMINATED

12 14 Sec. 22. 2008 Iowa Acts, chapter 1179, section 18,
 12 15 subsection 1, paragraph a, is amended to read as follows:
 12 16 a. For the planning, design, and construction of a new
 12 17 state office building, including costs associated with the
 12 18 furnishing of the building:
 12 19 \$ 20,000,000
 12 20 0
 12 21 ~~The location, design, plans and specifications, and~~
 12 22 ~~occupants of the building shall be determined jointly by the~~
 12 23 ~~executive council and the department of administrative~~
 12 24 ~~services in consultation with the capitol planning commission~~
 12 25 ~~following an analysis of space needs to be completed no later~~
 12 26 ~~than January 1, 2009. Recommendations for design, plans and~~
 12 27 ~~specifications, and occupants shall be presented to the~~
 12 28 ~~general assembly and the governor for approval by the start of~~
 12 29 ~~the 2009 legislative session.~~
 12 30 Effective December 9, 2008, the department shall cancel
 12 31 existing activities pertaining to the new state office
 12 32 building addressed by this paragraph and shall defer further
 12 33 activities until specifically authorized by law.

CODE: Deappropriates an FY 2009 appropriation to the DAS for the new State Office Building from the FY 2009 Tax-Exempt Restricted Capital Fund (RC3). Requires the DAS to cancel existing activities pertaining to the building and defer further activities until authorized by law.

DETAIL: The FY 2009 appropriation was the second of several years of planned funding totaling \$70,242,100 for the new State Office Building. House File 2782 (FY 2007 Infrastructure Appropriations Act), as amended by HF 911 (FY 2008 Infrastructure Appropriations Act), SF 2347 (FY 2008 Supplemental - Optical Scan Voting System Act), and Senate File 2432 (FY 2009 Infrastructure Appropriations Act), provided appropriations as follows:

- \$37,585,000 in FY 2007 from the RC2
- \$20,000,000 in FY 2009 from the RC3
- \$12,657,100 in FY 2010 from the RIIF

Section 13 eliminates the FY 2010 appropriation and Section 14 reduces the FY 2007 appropriation for this project.

12 34 FY 2009 TAX=EXEMPT BOND PROCEEDS
 12 35 RESTRICTED CAPITAL FUNDS ACCOUNT == HONEY
 13 1 CREEK APPROPRIATION ELIMINATED

13 2 Sec. 23. 2008 Iowa Acts, chapter 1179, section 18,

CODE: Deappropriates an FY 2009 RC3 appropriation to the

13 3 subsection 5, paragraph c, is amended to read as follows:
 13 4 ~~c. For the construction of the cabins, activity building,~~
 13 5 ~~picnic shelters, and other costs associated with the opening~~
 13 6 ~~of the Honey creek premier destination park:~~
 13 7 ~~..... \$ 4,900,000~~
 13 8 ~~The department shall not obligate any funding under this~~
 13 9 ~~appropriation without approval from the department of~~
 13 10 ~~management. The department shall provide quarterly updates to~~
 13 11 ~~the Honey creek premier destination park authority and the~~
 13 12 ~~legislative services agency on the obligation and spending of~~
 13 13 ~~this appropriation.~~
 13 14 ~~In light of this appropriation, the department shall not~~
 13 15 ~~request additional appropriations for funding the construction~~
 13 16 ~~of future additional amenities at the Honey creek destination~~
 13 17 ~~park beyond the fiscal year ending June 30, 2009. In the~~
 13 18 ~~event that the chairperson of the authority delivers a~~
 13 19 ~~certificate to the governor, pursuant to section 463C.13,~~
 13 20 ~~stating the amounts necessary to restore bond reserve funds,~~
 13 21 ~~it is the general assembly's intent upon consideration of the~~
 13 22 ~~governor's request to first seek refunding from the~~
 13 23 ~~department's budget.~~

Department of Natural Resources for construction of the cabins, activity center, and other buildings and costs associated with the Honey Creek Premier Destination Park.

DETAIL: The deappropriation reflects a change in funding source from the RC3 to the RC2. The FY 2009 appropriation from the RC3 has not been available for expenditure because the planned securitization of the remaining tobacco payments from the Master Settlement Agreement has not occurred due to market conditions. The FY 2009 appropriation was part of \$8,000,000 in FY 2009 appropriations to complete Phase 1 structures at Honey Creek. Phase 1 projects were listed in the bond agreement of the Honey Creek Resort Bonds and need to be completed, but as a result of cost overruns, the project required additional funding. Section 25 appropriates \$4,900,000 from the RC2, maintaining the full amount of the FY 2009 appropriation.

13 24 REBUILD IOWA INFRASTRUCTURE FUND == TRANSFER
 13 25 TO GENERAL FUND

13 26 Sec. 24. TRANSFER TO GENERAL FUND. There is transferred
 13 27 from the rebuild Iowa infrastructure fund to the general fund
 13 28 of the state for the fiscal year beginning July 1, 2008, and
 13 29 ending June 30, 2009, the following amount:
 13 30 \$ 37,000,000

Transfers \$37,000,000 from the RIIF to the General Fund for FY 2009.

13 31 REPLACEMENT APPROPRIATIONS

13 32 Sec. 25. ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITAL
 13 33 FUNDS ACCOUNT.

13 34 1. There is appropriated from the endowment for Iowa's
 13 35 health restricted capitals fund account to the following
 14 1 departments and agencies for the fiscal year beginning July 1,
 14 2 2008, and ending June 30, 2009, the following amounts, or so
 14 3 much thereof as is necessary, to be used for the purposes
 14 4 designated:

14 5 a. DEPARTMENT OF CORRECTIONS

14 6 (1) For construction of a community-based correctional
 14 7 facility, including district offices, in Davenport:
 14 8 \$ 3,458,217

Makes an RC2 appropriation for FY 2009 to the Department of Corrections for construction of a Community-Based Correctional facility at Davenport.

DETAIL: The appropriation for \$3,458,217 restores the funding for this construction project. Section 12 reduced the FY 2006 appropriation from \$3,750,000 to \$291,783. Most of the FY 2006 appropriation remained unobligated due to construction delays. Senate File 2298 (FY 2005 Omnibus Appropriations Act), as amended by HF 2782 (FY 2007 Infrastructure Appropriations Act), appropriated a total of \$10,500,000 over three fiscal years for the Davenport facility.

14 9 (2) For capital improvement projects at correctional
 14 10 facilities:
 14 11 \$ 2,797,376

Makes an RC2 appropriation for FY 2009 to the Department of Corrections for capital improvement projects at several correctional facilities.

DETAIL: The appropriation for \$2,797,376 restores the funding for these projects. This Act reduces the FY 2008 RIIF appropriation from \$5,495,000 to \$2,697,624. The plans for the funds include \$2,000,000 to upgrade the security at all correctional institutions based on the security audit, \$2,000,000 to replace the boilers at Anamosa State Penitentiary, and \$1,495,000 for replacement of the hot water main and electrical distribution upgrades at the Newton Correctional Facility.

14 12 b. DEPARTMENT OF ECONOMIC DEVELOPMENT
 14 13 For accelerated career education program capital projects
 14 14 at community colleges that are authorized under chapter 260G:

Makes an RC2 appropriation to the Department of Economic Development for vertical infrastructure improvements at community colleges associated with implementing the ACE Program.

14 15 \$ 5,125,000

DETAIL: The appropriation for \$5,125,000 restores the funding for this project. This Act reduces the FY 2008 RIIF appropriation for this project by \$4,225,000 and deappropriates the FY 2009 RIIF appropriation of \$900,000. Senate File 2432 (FY 2009 Infrastructure Appropriations Act) appropriated \$4,600,000 from the RC2 for FY 2009, in addition to the \$900,000 from the RIIF.

The ACE Program includes a contribution by businesses and prospective employers for 20.00% of the costs associated with the specific training program costs. The businesses qualify to offset these matching fund costs with State income tax credits. Students are not employees of the businesses when taking the training class, but may look for work in the sponsoring business after graduation from the program. Projects funded by the State's appropriation must meet the definition of vertical infrastructure. In previous fiscal years, the funds were used to build a new building for the Gas Utility Technology Program, remodel and expand a nursing and science lab space, expand a health care building for classroom and lab space, remodel and add to existing maintenance electrician space, and build a Biotechnology Lab.

14 16 c. DEPARTMENT OF NATURAL RESOURCES
 14 17 For the construction of the cabins, activity building,
 14 18 picnic shelters, and other costs associated with the opening
 14 19 of the Honey creek premier destination park:
 14 20 \$ 4,900,000
 14 21 (1) The department shall not obligate any funding under
 14 22 this appropriation without approval from the department of
 14 23 management. The department shall provide quarterly updates to
 14 24 the Honey creek premier destination park authority and the
 14 25 legislative services agency on the obligation and spending of
 14 26 this appropriation.
 14 27 (2) In light of this appropriation, the department shall
 14 28 not request additional appropriations for funding the
 14 29 construction of future additional amenities at the Honey creek
 14 30 destination park beyond the fiscal year ending June 30, 2009.
 14 31 In the event that the chairperson of the authority delivers a

Makes an RC2 appropriation for FY 2009 to the Department of Natural Resources (DNR) for construction of the cabins, activity center, and other buildings and costs associated with the Honey Creek Premier Destination Park.

DETAIL: This appropriation reflects a change in the funding source for the FY 2009 Honey Creek appropriation of \$4,900,000 from the RC3 to the RC2. The FY 2009 appropriation from the RC3 has not been available for expenditure because the planned securitization of the remaining tobacco payments from the Master Settlement Agreement has not occurred due to market conditions. The FY 2009 appropriation was part of \$8,000,000 in FY 2009 appropriations to complete Phase 1 structures at Honey Creek. Phase 1 projects were listed in the bond agreement of the Honey Creek Resort Bonds and need to be completed, but as a result of cost overruns, the project required additional funding.

14 32 certificate to the governor, pursuant to section 463C.13,
 14 33 stating the amounts necessary to restore bond reserve funds,
 14 34 it is the general assembly's intent upon consideration of the
 14 35 governor's request to first seek refunding from the
 15 1 department's budget.

Prohibits the DNR from obligating any funding without prior approval from the Department of Management. The DNR is required to give quarterly updates to the Honey Creek Premier Destination Park Authority (Authority) and the Legislative Services Agency (LSA) regarding the status of expenditures and obligations of this appropriation.

Prohibits the Department from requesting additional funding for the construction of future additional amenities at the Honey Creek Resort after FY 2009. States the intent of the General Assembly is to seek refunding from the Department's budget first in the event that the Chairperson of the Authority delivers a certificate to the Governor, pursuant to Section 463C.13, Code of Iowa, that states the amounts necessary to restore the bond reserve funds.

15 2 d. DEPARTMENT OF PUBLIC SAFETY
 15 3 For construction of a state emergency response training
 15 4 facility to be located in merged area XI:
 15 5 \$ 2,000,000

Makes an RC2 appropriation for FY 2009 to the Department of Public Safety for construction of a State emergency response training facility.

DETAIL: This appropriation restores full funding for this project. The funds are intended for the planning, design, and construction of a State emergency response training facility. The entire amount remained unobligated due to delays and issues during the planning phase of the project, and this Act deappropriates \$2,000,000 from the FY 2008 RIIF appropriation.

15 6 e. BOARD OF REGENTS

15 7 (1) For costs associated with the establishment of the
 15 8 Iowa institute for biomedical discovery at the state
 15 9 university of Iowa:
 15 10 \$ 10,550,000

Makes an RC2 appropriation for FY 2009 to the Board of Regents for the construction of the Institute of Biomedical Discovery at the University of Iowa.

DETAIL: This appropriation restores funding to the project. This Act reduces the FY 2009 appropriation by \$550,000 and deappropriates the FY 2010 appropriation of \$10,000,000 from the RIIF. House File 911 (FY 2008 Infrastructure Appropriations Act) appropriated a total of \$30,000,000 over three fiscal years for the project.

15 11 (2) For planning, design, and construction costs
 15 12 associated with the construction of a new renewable fuels
 15 13 building at Iowa State University of science and technology:
 15 14 \$ 11,277,000
 15 15 Moneys appropriated in this subparagraph are contingent
 15 16 upon the state board of regents or Iowa State University of
 15 17 science and technology actively pursuing the hiring of new
 15 18 research teams to provide world-class expertise in the area of
 15 19 biorenewable fuels research.
 15 20 2. Payment of moneys from the appropriations made in this
 15 21 section shall be made in a manner that does not adversely
 15 22 affect the tax-exempt status of any outstanding bonds issued
 15 23 by the tobacco settlement authority.

Makes an RC2 appropriation for FY 2009 to the Board of Regents for the construction of a Biorenewables Building at Iowa State University.

DETAIL: This appropriation reflects a change in funding source for a portion of the FY 2009 appropriation. This Act reduces the FY 2009 RIIF appropriation of \$14,756,000 by \$11,277,000. House File 911 (FY 2008 Infrastructure Appropriations Act) appropriated a total of \$32,000,000 over three fiscal years for the project.

Makes the appropriation for the renewable fuels building contingent on the Board of Regents or ISU actively pursuing new research teams.

Requires the RC2 appropriations to be expended in a manner that does not jeopardize the tax-exempt status of bonds issued by the Tobacco Settlement Authority.

15 24 3. For purposes of section 8.33, unless specifically
 15 25 provided otherwise, unencumbered or unobligated moneys made
 15 26 from an appropriation in this section shall not revert but
 15 27 shall remain available for expenditure for the purposes
 15 28 designated until the close of the fiscal year that ends three
 15 29 years after the end of the fiscal year for which the
 15 30 appropriation was made. However, if the project or projects
 15 31 for which such appropriation was made are completed in an
 15 32 earlier fiscal year, unencumbered or unobligated moneys shall
 15 33 revert at the close of that same fiscal year.

CODE: Requires nonreversion of funds appropriated from the RC2 in this Section for four fiscal years. However, funds for completed projects must be reverted.

DETAIL: Funds appropriated will be available from FY 2009 through the end of FY 2012.

15 34 EFFECTIVE DATE == APPLICABILITY

15 35 Sec. 26. EFFECTIVE DATE == APPLICABILITY.

16 1 1. This division of this Act, being deemed of immediate
 16 2 importance, takes effect upon enactment.
 16 3 2. The sections of this division of this Act that address
 16 4 a new state office building are retroactively applicable to
 16 5 December 9, 2008.

This Division is effective on enactment. Sections pertaining to a new State office building are retroactive to December 9, 2008.

16 6 DIVISION III

16 7 ADDITIONAL APPROPRIATION REDUCTIONS

16 8 Sec. 27. 2008 Iowa Acts, chapter 1182, section 1,
 16 9 subsection 1, is amended to read as follows:
 16 10 1. There is appropriated from the general fund of the
 16 11 state to the judicial branch for the fiscal year beginning
 16 12 July 1, 2008, and ending June 30, 2009, the following amount,
 16 13 or so much thereof as is necessary, to be used for the
 16 14 purposes designated:
 16 15 For salaries of supreme court justices, appellate court
 16 16 judges, district court judges, district associate judges,
 16 17 judicial magistrates and staff, state court administrator,
 16 18 clerk of the supreme court, district court administrators,
 16 19 clerks of the district court, juvenile court officers, board
 16 20 of law examiners and board of examiners of shorthand reporters
 16 21 and judicial qualifications commission; receipt and
 16 22 disbursement of child support payments; reimbursement of the
 16 23 auditor of state for expenses incurred in completing audits of
 16 24 the offices of the clerks of the district court during the
 16 25 fiscal year beginning July 1, 2008; and maintenance,
 16 26 equipment, and miscellaneous purposes:
 16 27 \$ 144,745,322
 16 28 140,959,432

CODE: Reduces the FY 2009 General Fund appropriation to the
 Judicial Branch by \$3,785,890.

DETAIL: This reduction is equal to 2.6% of the original appropriation
 for FY 2009.

16 29 Sec. 28. 2008 Iowa Acts, chapter 1191, section 3, is
 16 30 amended to read as follows:
 16 31 SEC. 3. GENERAL ASSEMBLY. The appropriations made
 16 32 pursuant to section 2.12 for the expenses of the general
 16 33 assembly and legislative agencies for the fiscal year
 16 34 beginning July 1, 2008, and ending June 30, 2009, are reduced
 16 35 by the following amount:
 17 1 \$ 1,400,261
 17 2 2,356,851

CODE: Reduces the FY 2009 General Fund appropriation to the
 Legislative Branch by an additional \$956,590. The FY 2009 standing
 unlimited appropriation to the Legislative Branch was reduced by
 \$1,400,261 in HF 2700 (FY 2009 Standing Appropriations Act).

DETAIL: This reduction is 2.6% of the estimated FY 2009
 appropriation.

17 3 Sec. 29. GENERAL REDUCTIONS.

Authorizes reductions totaling \$25,606,746 to Executive Branch
 agencies' FY 2009 General Fund operating appropriations. These

17 4 1. The amounts appropriated from the general fund of the
 17 5 state to executive branch agencies for operational purposes in
 17 6 enactments made for the fiscal year beginning July 1, 2008,
 17 7 and ending June 30, 2009, and standing limited and unlimited
 17 8 appropriations from the general fund of the state for the
 17 9 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 17 10 are reduced by \$25,606,746. For the purposes of this
 17 11 subsection, "operational purposes" means salary, support,
 17 12 administrative expenses, or other personnel-related costs.
 17 13 The appropriations made for the designated fiscal year to the
 17 14 following executive branch agencies are not subject to this
 17 15 section: department of commerce divisions of banking, credit
 17 16 union, and utilities, and the racing and gaming commission.
 17 17 2. The reduction in appropriations made pursuant to
 17 18 subsection 1 shall be carried out by the governor in the
 17 19 manner specified in section 8.31, subsection 5. However,
 17 20 provided that the total amount of the reductions required by
 17 21 this section remains unchanged, the governor may approve the
 17 22 exercise of transfer authority under section 8.39 between
 17 23 operational appropriations as necessary to prudently adjust
 17 24 the reductions made to individual appropriations and the
 17 25 report required under this section shall constitute the notice
 17 26 and report otherwise required under section 8.39, subsections
 17 27 3 and 4.
 17 28 3. Upon implementation of the appropriations reductions
 17 29 specified in subsection 1, the department of management shall
 17 30 submit a report to the chairpersons and ranking members of the
 17 31 appropriations committees of each chamber of the general
 17 32 assembly and the legislative services agency specifying how
 17 33 the reductions were applied and if any transfers were
 17 34 authorized.
 17 35 4. Moneys which become available as a result of the
 18 1 appropriations reductions made pursuant to this section shall
 18 2 be considered to have reverted to the general fund of the
 18 3 state on the effective date of this section.

reductions are made to reflect the Governor's implementation of the following:

- A hiring freeze and decreased overtime (\$12.1 million)
- Reduction in out-of-state travel (\$1.5 million)
- Reductions in equipment purchases, service contracts, and office supplies (\$5.0 million)
- Reduction of \$7.0 million for the Board of Regents.

Specifically exempted are the Banking, Credit Union, and Utilities Divisions of the Department of Commerce and the Racing and Gaming Commission. These agencies are exempted because each generates billing revenue equal to the amount of expenditures. Reductions in appropriations to these agencies would result in corresponding reductions to revenues and would not ultimately result in savings to the General Fund.

Requires the Governor to apply the appropriation reductions uniformly and prorated among all State agencies as outlined in statute. However, the Governor is also authorized by statute to use appropriation transfer authority, if necessary, as long as the total reduction amount remains unchanged.

Requires the Department of Management to submit a report of how reductions were applied and any appropriation transfers authorized to the Chairs and Ranking Members of the Appropriations Committees of the House and Senate and to the Legislative Services Agency.

Moneys that become available as a result of these appropriation reductions are to be considered reversions to the General Fund on the effective date of this Section.

DETAIL: The individual reductions are listed in the tracking document attached to this NOBA.

18 4 Sec. 30. EFFECTIVE DATE == APPLICABILITY.

This Division takes effect on enactment. The appropriation reductions

18 5 1. This division of this Act, being deemed of immediate
 18 6 importance, takes effect upon enactment.
 18 7 2. The appropriation reductions made pursuant to this
 18 8 division of this Act shall be applied after applying the
 18 9 reductions made pursuant to executive order number 10 issued
 18 10 December 22, 2008.

in this Division are to be applied after application of the 1.5% across-the-board reduction in Executive Order 10 issued on December 22, 2008.

18 11 DIVISION IV
 18 12 TRANSFERS

18 13 Sec. 31. INNOVATIONS FUND. There is transferred from the
 18 14 innovations fund created in section 8.63 for the fiscal year
 18 15 beginning July 1, 2008, and ending June 30, 2009, the
 18 16 following amount, or so much thereof as is necessary, to be
 18 17 used for the purpose designated:
 18 18 Notwithstanding section 8.63, subsection 1, to be credited
 18 19 to the general fund of the state:
 18 20 \$ 4,500,000

CODE: Transfers \$4,500,000 from the Innovations Fund to the General Fund for FY 2009.

18 21 Sec. 32. LOCAL GOVERNMENT INNOVATION FUND. There is
 18 22 transferred from the local government innovation fund created
 18 23 in section 8.67 for the fiscal year beginning July 1, 2008,
 18 24 and ending June 30, 2009, the following amount, or so much
 18 25 thereof as is necessary, to be used for the purpose
 18 26 designated:
 18 27 Notwithstanding section 8.67, subsection 1, to be credited
 18 28 to the general fund of the state:
 18 29 \$ 844,182

CODE: Transfers \$844,182 from the Local Government Innovation Fund to the General Fund for FY 2009.

18 30 Sec. 33. IOWA COMPREHENSIVE PETROLEUM UNDERGROUND
 STORAGE

18 31 TANK FUND. There is transferred from the Iowa comprehensive
 18 32 petroleum underground storage tank fund created in section
 18 33 455G.3 for the fiscal year beginning July 1, 2008, and ending

CODE: Transfers \$5,655,818 from the Iowa Comprehensive Underground Storage Tank (UST) Fund to the General Fund.

DETAIL: The UST Program was created in the late 1980s to provide funding for cleanup of property contaminated by leaking underground petroleum storage tanks. The UST Fund's main source of revenue is

18 34 June 30, 2009, the following amount, or so much thereof as is
 18 35 necessary, to be used for the purpose designated:
 19 1 Notwithstanding section 455G.3, subsection 1, to be
 19 2 credited to the general fund of the state:
 19 3 \$ 5,655,818

a \$17.0 million annual transfer from the Statutory Allocations Fund.
 The Program expends approximately \$11.0 million per year on
 administration and cleanup and the UST Fund had a cash balance of
 \$25.8 million at the end of January 2009.

19 4 Sec. 34. EFFECTIVE DATE. This division of this Act, being
 19 5 deemed of immediate importance, takes effect upon enactment.

This Division is effective on enactment.

19 6 DIVISION V

19 7 APPROPRIATION RESTORATIONS AND SUPPLEMENTS

19 8 Sec. 35. DEPARTMENT OF CORRECTIONS. After applying the
 19 9 reduction made pursuant to executive order number 10 issued
 19 10 December 22, 2008, to the appropriations made for the
 19 11 following designated purposes, there is appropriated from the
 19 12 general fund of the state to the department of corrections for
 19 13 the fiscal year beginning July 1, 2008, and ending June 30,
 19 14 2009, the following amounts, or so much thereof as is
 19 15 necessary, to supplement the appropriations made for the
 19 16 following designated purposes:

19 17 1. For the operation of adult correctional institutions in
 19 18 2008 Iowa Acts, chapter 1180, section 3, subsection 1, to be
 19 19 allocated as follows:

CODE: General Fund supplemental appropriations for FY 2009 for
 the various adult correctional institutions.

DETAIL: The appropriations listed below were initially made in HF
 2660 (FY 2009 Justice System Appropriations Act). Individual Code
of Iowa citations are not provided for each appropriation in this
 Section of the NOBA.

19 20 a. For the operation of the Fort Madison correctional
 19 21 facility in 2008 Iowa Acts, chapter 1180, section 3,
 19 22 subsection 1, paragraph "a":
 19 23 \$ 684,867

General Fund supplemental appropriation for FY 2009 to the Fort
 Madison Correctional Facility to replace the 1.5% across-the-board
 reduction.

19 24 b. For the operation of the Anamosa correctional facility
 19 25 in 2008 Iowa Acts, chapter 1180, section 3, subsection 1,
 19 26 paragraph "b":
 19 27 \$ 483,143

General Fund supplemental appropriation for FY 2009 to the Anamosa Correctional Facility to replace the 1.5% across-the-board reduction.

19 28 c. For the operation of the Oakdale correctional facility
 19 29 in 2008 Iowa Acts, chapter 1180, section 3, subsection 1,
 19 30 paragraph "c":
 19 31 \$ 906,708

General Fund supplemental appropriation for FY 2009 to the Oakdale Correctional Facility to replace the 1.5% across-the-board reduction.

19 32 d. For the operation of the Newton correctional facility
 19 33 in 2008 Iowa Acts, chapter 1180, section 3, subsection 1,
 19 34 paragraph "d":
 19 35 \$ 434,340

General Fund supplemental appropriation for FY 2009 to the Newton Correctional Facility to replace the 1.5% across-the-board reduction.

20 1 e. For the operation of the Mt. Pleasant correctional
 20 2 facility in 2008 Iowa Acts, chapter 1180, section 3,
 20 3 subsection 1, paragraph "e":
 20 4 \$ 419,962

General Fund supplemental appropriation for FY 2009 to the Mt. Pleasant Correctional Facility to replace the 1.5% across-the-board reduction.

20 5 f. For the operation of the Rockwell City correctional
 20 6 facility in 2008 Iowa Acts, chapter 1180, section 3,
 20 7 subsection 1, paragraph "f":
 20 8 \$ 144,923

General Fund supplemental appropriation for FY 2009 to the Rockwell City Correctional Facility to replace the 1.5% across-the-board reduction.

20 9 g. For the operation of the Clarinda correctional facility
 20 10 in 2008 Iowa Acts, chapter 1180, section 3, subsection 1,
 20 11 paragraph "g":
 20 12 \$ 390,790

General Fund supplemental appropriation for FY 2009 to the Clarinda Correctional Facility to replace the 1.5% across-the-board reduction.

20 13 h. For the operation of the Mitchellville correctional
 20 14 facility in 2008 Iowa Acts, chapter 1180, section 3,
 20 15 subsection 1, paragraph "h":

General Fund supplemental appropriation for FY 2009 to the Mitchellville Correctional Facility to replace the 1.5% across-the-board reduction.

PG LN	House File 414	Explanation
20 16 \$ 246,868	
20 17	i. For the operation of the Fort Dodge correctional	General Fund supplemental appropriation for FY 2009 to the Fort Dodge Correctional Facility to replace the 1.5% across-the-board reduction.
20 18	facility in 2008 Iowa Acts, chapter 1180, section 3,	
20 19	subsection 1, paragraph "i":	
20 20	..... \$ 464,129
20 21	j. For reimbursement of counties for certain confinement	General Fund supplemental appropriation for FY 2009 to the County Confinement Account to replace the 1.5% across-the-board reduction.
20 22	costs in 2008 Iowa Acts, chapter 1180, section 3, subsection	
20 23	1, paragraph "j":	
20 24	..... \$ 14,520
20 25	k. For federal prison reimbursement, reimbursements for	General Fund supplemental appropriation for FY 2009 to the Federal Prisoners/Contractual Account to replace the 1.5% across-the-board reduction.
20 26	out-of-state placements, and miscellaneous contracts in 2008	
20 27	Iowa Acts, chapter 1180, section 3, subsection 1, paragraph	
20 28	"k":	
20 29 \$ 3,619	
20 30	2. For department of corrections general administration in	CODE: General Fund supplemental appropriations for FY 2009 to the Department of Corrections. DETAIL: The appropriations listed below were initially made in HF 2660 (FY 2009 Justice System Appropriations Act). Individual <u>Code of Iowa</u> citations are not provided for each appropriation in this Section of the NOBA.
20 31	2008 Iowa Acts, chapter 1180, section 4, to be allocated as	
20 32	follows:	
20 33	a. For department of corrections general administration in	
20 34	2008 Iowa Acts, chapter 1180, section 4, subsection 1,	General Fund supplemental appropriation for FY 2009 to the Central Office to replace the 1.5% across-the-board reduction.
20 35	paragraph "a":	
21 1	..... \$ 77,403
21 2	b. For educational programs for inmates at state penal	
21 3	institutions in 2008 Iowa Acts, chapter 1180, section 4,	General Fund supplemental appropriation for FY 2009 to the Corrections Education Account to replace the 1.5% across-the-board reduction.
21 4	subsection 1, paragraph "b":	

PG LN	House File 414	Explanation
21 5 \$ 29,172	
21 6	c. For development of the Iowa corrections offender	General Fund supplemental appropriation for FY 2009 to the Iowa Corrections Offender Network (ICON) Account to replace the 1.5% across-the-board reduction.
21 7	network (ICON) data system in 2008 Iowa Acts, chapter 1180,	
21 8	section 4, subsection 1, paragraph "c":	
21 9	..... \$ 6,416
21 10	d. For offender mental health and substance abuse	General Fund supplemental appropriation for FY 2009 to the Department of Corrections for offender mental health and substance abuse treatment to replace the 1.5% across-the-board reduction.
21 11	treatment in 2008 Iowa Acts, chapter 1180, section 4,	
21 12	subsection 1, paragraph "d":	
21 13	..... \$ 375
21 14	e. For viral hepatitis prevention and treatment in 2008	General Fund supplemental appropriation for FY 2009 to the Department of Corrections for viral hepatitis prevention and treatment to replace the 1.5% across-the-board reduction.
21 15	Iowa Acts, chapter 1180, section 4, subsection 1, paragraph	
21 16	"e":	
21 17	..... \$ 2,820
21 18	3. For the judicial district departments of correctional	CODE: General Fund supplemental appropriations for FY 2009 to the Department of Corrections. DETAIL: The appropriations listed below were initially made in HF 2660 (FY 2009 Justice System Appropriations Act). Individual <u>Code of Iowa</u> citations are not provided for each appropriation in this Section of the NOBA.
21 19	services in 2008 Iowa Acts, chapter 1180, section 5,	
21 20	subsection 1, to be allocated as follows:	
21 21	a. For the first judicial district department of	
21 22	correctional services in 2008 Iowa Acts, chapter 1180, section	General Fund supplemental appropriation for FY 2009 to the First Community-Based Corrections (CBC) District Department to replace the 1.5% across-the-board reduction.
21 23	5, subsection 1, paragraph "a":	
21 24	..... \$ 203,607
21 25	b. For the second judicial district department of	
21 26	correctional services in 2008 Iowa Acts, chapter 1180, section	General Fund supplemental appropriation for FY 2009 to the Second CBC District Department to replace the 1.5% across-the-board reduction.
21 27	5, subsection 1, paragraph "b":	
21 28	..... \$ 169,214

21 29	c. For third judicial district department of correctional	General Fund supplemental appropriation for FY 2009 to the Third
21 30	services in 2008 Iowa Acts, chapter 1180, section 5,	CBC District Department to replace the 1.5% across-the-board
21 31	subsection 1, paragraph "c":	reduction.
21 32	..... \$ 93,453	
21 33	d. For the fourth judicial district department of	General Fund supplemental appropriation for FY 2009 to the Fourth
21 34	correctional services in 2008 Iowa Acts, chapter 1180, section	CBC District Department to replace the 1.5% across-the-board
21 35	5, subsection 1, paragraph "d":	reduction.
22 1	..... \$ 85,788	
22 2	e. For the fifth judicial district department of	General Fund supplemental appropriation for FY 2009 to the Fifth
22 3	correctional services in 2008 Iowa Acts, chapter 1180, section	CBC District Department to replace the 1.5% across-the-board
22 4	5, subsection 1, paragraph "e":	reduction.
22 5	..... \$ 294,421	
22 6	f. For the sixth judicial district department of	General Fund supplemental appropriation for FY 2009 to the Sixth
22 7	correctional services in 2008 Iowa Acts, chapter 1180, section	CBC District Department to replace the 1.5% across-the-board
22 8	5, subsection 1, paragraph "f":	reduction.
22 9	..... \$ 218,496	
22 10	g. For the seventh judicial district department of	General Fund supplemental appropriation for FY 2009 to the Seventh
22 11	correctional services in 2008 Iowa Acts, chapter 1180, section	CBC District Department to replace the 1.5% across-the-board
22 12	5, subsection 1, paragraph "g":	reduction.
22 13	..... \$ 111,216	
22 14	h. For the eighth judicial district department of	General Fund supplemental appropriation for FY 2009 to the Eighth
22 15	correctional services in 2008 Iowa Acts, chapter 1180, section	CBC District Department to replace the 1.5% across-the-board
22 16	5, subsection 1, paragraph "h":	reduction.
22 17	..... \$ 108,830	
22 18	Sec. 36. DEPARTMENT OF PUBLIC SAFETY. After applying the	CODE: General Fund supplemental appropriations for FY 2009 to the
22 19	reduction made pursuant to executive order number 10 issued	Department of Public Safety.
22 20	December 22, 2008, to the appropriations made for the	

22 21 following designated purposes, there is appropriated from the
 22 22 general fund of the state to the department of public safety
 22 23 for the fiscal year beginning July 1, 2008, and ending June
 22 24 30, 2009, the following amounts, or so much thereof as is
 22 25 necessary, to supplement the appropriations made for the
 22 26 following designated purposes:

DETAIL: The appropriations listed below were initially made in HF 2660 (FY 2009 Justice System Appropriations Act). Individual Code of Iowa citations are not provided for each appropriation in this Section of the NOBA.

22 27 1. For the department's administrative functions in 2008
 22 28 Iowa Acts, chapter 1180, section 14, subsection 1:
 22 29 \$ 68,484

General Fund supplemental appropriation for FY 2009 to the Administration Division of the Department of Public Safety to replace the 1.5% across-the-board reduction.

22 30 2. For the division of criminal investigation in 2008 Iowa
 22 31 Acts, chapter 1180, section 14, subsection 2:
 22 32 \$ 329,310

General Fund supplemental appropriation for FY 2009 to the Division of Criminal Investigation of the Department of Public Safety to replace the 1.5% across-the-board reduction.

22 33 3. For the criminalistics laboratory fund created in
 22 34 section 691.9 in 2008 Iowa Acts, chapter 1180, section 14,
 22 35 subsection 3:
 23 1 \$ 5,130

General Fund supplemental appropriation for FY 2009 to the Criminalistics Laboratory Fund to replace the 1.5% across-the-board reduction.

23 2 4. For the division of narcotics enforcement in 2008 Iowa
 23 3 Acts, chapter 1180, section 14, subsection 4, paragraph "a":
 23 4 \$ 99,534

General Fund supplemental appropriation for FY 2009 to the Division of Narcotics Enforcement of the Department of Public Safety to replace the 1.5% across-the-board reduction.

23 5 5. For the state fire marshal's office for fire protection
 23 6 services in 2008 Iowa Acts, chapter 1180, section 14,
 23 7 subsection 5:
 23 8 \$ 62,186

General Fund supplemental appropriation for FY 2009 to the State Fire Marshal's Office to replace the 1.5% across-the-board reduction.

23 9 6. For the division of state patrol in 2008 Iowa Acts,
 23 10 chapter 1180, section 14, subsection 6:
 23 11 \$ 780,362

General Fund supplemental appropriation for FY 2009 to the Iowa State Patrol to replace the 1.5% across-the-board reduction.

<p>23 12 7. For costs associated with the training and equipment 23 13 needs of volunteer fire fighters in 2008 Iowa Acts, chapter 23 14 1180, section 14, subsection 8: 23 15 \$ 10,504 23 16 Notwithstanding section 8.33, moneys appropriated in this 23 17 subsection that remain unencumbered or unobligated at the 23 18 close of the fiscal year shall not revert but shall remain 23 19 available for expenditure for the purposes designated until 23 20 the close of the succeeding fiscal year.</p>	<p>General Fund supplemental appropriation for FY 2009 for Volunteer Firefighter Training to replace the 1.5% across-the-board reduction.</p> <p>CODE: Requires nonreversion of funds.</p>
<p>23 21 Sec. 37. DEPARTMENT OF COMMERCE. After applying the 23 22 reduction made pursuant to executive order number 10 issued 23 23 December 22, 2008, to the appropriations made for the 23 24 following designated purposes, there is appropriated from the 23 25 general fund of the state to the department of commerce for 23 26 the fiscal year beginning July 1, 2008, and ending June 30, 23 27 2009, the following amounts, or so much thereof as is 23 28 necessary, to supplement the appropriations made for the 23 29 following designated purposes:</p>	<p>CODE: General Fund supplemental appropriations for FY 2009 to the Department of Commerce.</p> <p>DETAIL: The appropriations listed below were initially made in SF 2400 (FY 2009 Administration and Regulation Appropriations Act). Individual <u>Code of Iowa</u> citations are not provided for each appropriation in this Section of the NOBA.</p>
<p>23 30 1. For the banking division, in 2008 Iowa Acts, chapter 23 31 1184, section 7, subsection 2, paragraph "a": 23 32 \$ 131,578</p>	<p>General Fund supplemental appropriation for FY 2009 to the Banking Division of the Department of Commerce to replace the 1.5% across- the-board reduction.</p>
<p>23 33 2. For the credit union division, in 2008 Iowa Acts, 23 34 chapter 1184, section 7, subsection 3: 23 35 \$ 26,097</p>	<p>General Fund supplemental appropriation for FY 2009 to the Credit Division of the Department of Commerce to replace the 1.5% across- the-board reduction.</p>
<p>24 1 3. For the utilities division, in 2008 Iowa Acts, chapter 24 2 1184, section 7, subsection 5: 24 3 \$ 128,675</p>	<p>General Fund supplemental appropriation for FY 2009 to the Utilities Division of the Department of Commerce to replace the 1.5% across- the-board reduction.</p>
<p>24 4 Sec. 38. RACING AND GAMING COMMISSION. After applying the</p>	<p>CODE: General Fund supplemental appropriations for FY 2009 to the</p>

24 5 reduction made pursuant to executive order number 10 issued
 24 6 December 22, 2008, to the appropriations made for the
 24 7 following designated purposes, there is appropriated from the
 24 8 general fund of the state to the racing and gaming commission
 24 9 for the fiscal year beginning July 1, 2008, and ending June
 24 10 30, 2009, the following amounts, or so much thereof as is
 24 11 necessary, to supplement the appropriations made for the
 24 12 following designated purposes:

Racing and Gaming Commission.

DETAIL: The appropriations listed below were initially made in SF 2400 (FY 2009 Administration and Regulation Appropriations Act). Individual Code of Iowa citations are not provided for each appropriation in this Section of the NOBA.

24 13 1. For racetrack regulation, in 2008 Iowa Acts, chapter
 24 14 1184, section 13, subsection 1:
 24 15 \$ 44,799

General Fund supplemental appropriation for FY 2009 to the Racing and Gaming Commission to replace the 1.5% across-the-board reduction for racetrack regulation.

24 16 2. For excursion boat and gambling structure regulation,
 24 17 in 2008 Iowa Acts, chapter 1184, section 13, subsection 2:
 24 18 \$ 53,856

General Fund supplemental appropriation for FY 2009 to the Racing and Gaming Commission to replace the 1.5% across-the-board reduction for excursion boat and gambling structure regulation.

24 19 Sec. 39. DEPARTMENT OF PUBLIC HEALTH == INFECTIOUS
 24 20 DISEASES. After applying the reduction made pursuant to
 24 21 executive order number 10 issued December 22, 2008, there is
 24 22 appropriated from the general fund of the state to the
 24 23 department of public health for the fiscal year beginning July
 24 24 1, 2008, and ending June 30, 2009, the following amount, or so
 24 25 much thereof as is necessary, to supplement the appropriation
 24 26 made for the following designated purpose:
 24 27 For reducing the incidence and prevalence of communicable
 24 28 diseases in 2008 Iowa Acts, chapter 1187, section 2,
 24 29 subsection 7:
 24 30 \$ 992,915

CODE: General Fund supplemental appropriation for FY 2009 to the Department of Public Health to replace vaccinations given during the disaster period.

24 31 Sec. 40. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
 24 32 DEVELOPMENTAL DISABILITIES SERVICES.
 24 33 1. After applying the reduction made pursuant to executive
 24 34 order number 10 issued December 22, 2008, to the
 24 35 appropriations made for the following designated purposes,

CODE: General Fund supplemental appropriations for FY 2009 for county mental health, mental retardation, and developmental disabilities services.

DETAIL: The appropriations listed below were initially made in SF

25 1 there is appropriated from the general fund of the state to
 25 2 the department of human services for the fiscal year beginning
 25 3 July 1, 2008, and ending June 30, 2009, the following amounts,
 25 4 or so much thereof as is necessary, to supplement the
 25 5 appropriations made for the following designated purposes:

2425 (FY 2009 Health and Human Services Appropriations Act) or are standing appropriations. Individual Code of Iowa citations are not provided for each appropriation in this Section of the NOBA.

25 6 a. For the property tax relief fund appropriation made in
 25 7 section 426B.1, subsection 2:
 25 8 \$ 1,326,000
 25 9 All of the appropriation made in this lettered paragraph
 25 10 shall be distributed to counties as necessary to restore the
 25 11 amounts that would have been paid to counties in accordance
 25 12 with section 426B.2 for the fiscal year beginning July 1,
 25 13 2008, but for the reduction applied to the property tax relief
 25 14 fund appropriation pursuant to executive order number 10.

General Fund supplemental appropriation for FY 2009 to the Department of Human Services to replace the 1.5% across-the-board reduction to mental health property tax relief. These funds are to be distributed to counties.

25 15 b. For the appropriation in 2008 Iowa Acts, chapter 1187,
 25 16 section 23, for distribution to counties for state case
 25 17 services for persons with mental illness, mental retardation,
 25 18 and developmental disabilities in accordance with section
 25 19 331.440:
 25 20 \$ 203,372

General Fund supplemental appropriation for FY 2009 to the Department of Human Services to replace the 1.5% across-the-board reduction to mental health services for persons with no county of legal settlement.

25 21 c. For the appropriation in 2008 Iowa Acts, chapter 1187,
 25 22 section 24, for distribution to counties for mental health and
 25 23 developmental disabilities community services in accordance
 25 24 with subsection 2 of this section:
 25 25 \$ 272,318

General Fund supplemental appropriation for FY 2009 to the Department of Human Services to replace the 1.5% across-the-board reduction to the Community Services Fund. The funding provides a portion of the State share that goes to counties to provide mental health services.

25 26 d. For the appropriation in 2007 Iowa Acts, chapter 215,
 25 27 section 1, as amended by 2008 Iowa Acts, chapter 1187, section
 25 28 58, for county mental health, mental retardation, and
 25 29 developmental disabilities allowed growth factor adjustment
 25 30 for fiscal year 2008=2009:
 25 31 \$ 811,220

General Fund supplemental appropriation for FY 2009 to the Department of Human Services to replace the 1.5% across-the-board reduction to Mental Health Allowed Growth. The funding provides a portion of the State share that goes to counties to provide mental health services.

25 32 2. a. The appropriations made in this section are not
 25 33 subject to transfer. The appropriations made in subsection 1,
 25 34 paragraphs "c" and "d", shall be distributed to counties to
 25 35 restore the amounts that would have been paid to counties for
 26 1 the fiscal year beginning July 1, 2008, in accordance with
 26 2 2007 Iowa Acts, chapter 215, section 1, as amended by 2008
 26 3 Iowa Acts, chapter 1187, section 59, but for the reduction
 26 4 applied to the appropriations referred to in such paragraphs
 26 5 pursuant to executive order number 10.

Specifies that the appropriations made in this Section are not subject to transfer and requires funds to be distributed according to the original formula.

26 6 b. The department of human services shall calculate the
 26 7 amount of moneys due to counties in accordance with this
 26 8 section. The department shall authorize the issuance of
 26 9 warrants payable to the county treasurer for the amounts due
 26 10 and the warrants shall be issued not more than fifteen
 26 11 calendar days from the effective date of this section of this
 26 12 Act.

Requires the Department of Human Services to distribute the funds due to counties no more than 15 calendar days from the effective date of this Act.

26 13 Sec. 41. DEPARTMENT OF NATURAL RESOURCES. After applying
 26 14 the reduction made pursuant to executive order number 10
 26 15 issued December 22, 2008, there is appropriated from the
 26 16 general fund of the state to the department of natural
 26 17 resources for the fiscal year beginning July 1, 2008, and
 26 18 ending June 30, 2009, the following amount, or so much thereof
 26 19 as is necessary, to supplement the appropriation made for the
 26 20 following designated purposes:
 26 21 For supporting the department, as provided in this section,
 26 22 for administration, regulation, and programs, including for
 26 23 salaries, support, maintenance, and miscellaneous purposes in
 26 24 2008 Iowa Acts, chapter 1189, section 17:
 26 25 \$ 1,958,000
 26 26 The appropriation made in this section is allocated to
 26 27 support the department's parks bureau for addressing flood
 26 28 damage to state parks and facilities and other extraordinary
 26 29 costs associated with the bureau's operations.

CODE: General Fund supplemental appropriation for FY 2009 to the Parks Bureau of the Department of Natural Resources (DNR).

DETAIL: These funds will be used as follows:

- \$900,000 for the loss of camping receipts due to inclement weather.
- \$533,000 for damage to State Parks not covered by the Federal Emergency Management Agency (FEMA).
- \$525,000 for law enforcement retirement payouts. The DNR estimates there will be four retirements in FY 2009, at a cost of \$388,000. However, the actual number of retirements is unknown until the end of the FY 2009.

26 30 Sec. 42. DEPARTMENT OF WORKFORCE DEVELOPMENT. After
 26 31 applying the reduction made pursuant to executive order number
 26 32 10 issued December 22, 2008, to the appropriations made for
 26 33 the following designated purposes, there is appropriated from
 26 34 the general fund of the state to the department of workforce
 26 35 development for the fiscal year beginning July 1, 2008, and
 27 1 ending June 30, 2009, the following amounts, or so much
 27 2 thereof as is necessary, to supplement the appropriations made
 27 3 for the following designated purposes:

CODE: General Fund supplemental appropriations for FY 2009 to the Department of Workforce Development.

DETAIL: The appropriations listed below were initially made in HF 2699 (FY 2009 Economic Development Appropriations Act). Individual Code of Iowa citations are not provided for each appropriation in this Section of the NOBA.

27 4 1. For the division of labor services in 2008 Iowa Acts,
 27 5 chapter 1190, section 16, subsection 1:
 27 6 \$ 65,735

General Fund supplemental appropriation for FY 2009 to the Division of Labor Services of the Department of Workforce Development (IWD) to replace the 1.5% across-the-board reduction.

27 7 2. For the division of workers' compensation in 2008 Iowa
 27 8 Acts, chapter 1190, section 16, subsection 2:
 27 9 \$ 44,152

General Fund supplemental appropriation for FY 2009 to the Division of Worker's Compensation of the Department of Workforce Development (IWD) to replace the 1.5% across-the-board reduction.

27 10 3. For the operation of field offices, the workforce
 27 11 development board, and new Iowans centers in 2008 Iowa Acts,
 27 12 chapter 1190, section 16, subsection 3:
 27 13 \$ 189,367

General Fund supplemental appropriation for FY 2009 to the Department of Workforce Development (IWD) to replace the 1.5% across-the-board reduction for operation of field offices, the Workforce Development Board, and New Iowans Centers.

27 14 4. For conducting integrated basic education and skills
 27 15 training demonstration projects in 2008 Iowa Acts, chapter
 27 16 1190, section 16, subsection 4:
 27 17 \$ 7,500

General Fund supplemental appropriation for FY 2009 to the Department of Workforce Development (IWD) to replace the 1.5% across-the-board reduction for basic education and skills training demonstration projects.

DETAIL: The original appropriation for this purpose was eliminated by HF 2700 (FY 2009 Standing Appropriations Act) and a \$500,000 appropriation was made to the IWD to support a Statewide Standard Skills Assessment. The Assessment determines the employability of adult workers throughout the State. The Assessments are provided at One-Stop Field Offices and other service access points in the State.

27 18 5. For the development and administration of an offender
 27 19 reentry program in 2008 Iowa Acts, chapter 1190, section 16,
 27 20 subsection 5:
 27 21 \$ 5,625

General Fund supplemental appropriation for FY 2009 to the Department of Workforce Development (IWD) to replace the 1.5% across-the-board reduction for development and administration of an offender re-entry program.

27 22 6. For purposes of administration of a security employee
 27 23 pilot project training program in 2008 Iowa Acts, chapter
 27 24 1190, section 16, subsection 6:
 27 25 \$ 225

General Fund supplemental appropriation for FY 2009 to the Department of Workforce Development (IWD) to replace the 1.5% across-the-board reduction for a security employee pilot project.

27 26 Sec. 43. FISH AND GAME PROTECTION FUND. There is
 27 27 transferred from the general fund of the state to the
 27 28 department of natural resources for the fiscal year beginning
 27 29 July 1, 2008, and ending June 30, 2009, the following amount,
 27 30 or so much thereof as is necessary, to be used for the
 27 31 purposes designated:
 27 32 To be credited to the state fish and game protection fund
 27 33 and used for addressing flood damage to public lands and
 27 34 facilities administered by the department of natural
 27 35 resources:
 28 1 \$ 4,070,000

General Fund supplemental appropriation for FY 2009 to the Department of Natural Resources (DNR) for deposit in the Fish and Game Protection Fund.

DETAIL: These funds will be used as follows:

- \$1,500,000 for the loss of hunting and fishing license receipts.
- \$1,300,000 for crop damage on State-owned lands
- \$470,000 for damage to fisheries, wildlife areas, and other land not covered by Federal Emergency Management Agency (FEMA).
- \$800,000 for law enforcement retirement payouts. The DNR estimates there will be seven retirements in FY 2009, at a cost of \$705,000. However, the actual number of retirements is unknown until the end of the FY 2009.

28 2 Sec. 44. COMMUNITY DEVELOPMENT BLOCK GRANT.
 28 3 1. There is appropriated from the fund created by section
 28 4 8.41 to the department of economic development for the federal
 28 5 fiscal year beginning October 1, 2007, and ending September
 28 6 30, 2008, the following amount:
 28 7 \$156,690,815
 28 8 2. Funds appropriated in this section are community
 28 9 development block grant funds awarded to the state under Pub.
 28 10 L. No. 110-252, Supplemental Appropriations Act, 2008.
 28 11 3. The department of economic development shall expend the

Supplemental appropriation for FY 2008 of federal block grants funds to the Department of Economic Development.

DETAIL: These are federal block grants funds to be used by the Department for disaster relief. The Department is permitted to use up to 3.00% of the funds for administrative costs, including reimbursement to the State Auditor.

28 12 funds appropriated in this section for disaster relief,
28 13 long-term recovery, and restoration of infrastructure as
28 14 provided in the federal law making the funds available and in
28 15 conformance with chapter 17A. An amount not to exceed 3
28 16 percent of the funds appropriated in this section shall be
28 17 used by the department for administrative expenses. From the
28 18 funds set aside for administrative expenses, the department
28 19 shall pay to the auditor of state an amount sufficient to pay
28 20 the cost of auditing the use and administration of the state's
28 21 portion of the funds appropriated in this section.

28 22 Sec. 45. EFFECTIVE DATE.

28 23 1. This division of this Act, being deemed of immediate
28 24 importance, takes effect upon enactment.

28 25 2. The section of this division of this Act appropriating
28 26 federal community development block grant funds is
28 27 retroactively applicable to June 30, 2008.

This Division is effective on enactment. The Section related to appropriation of federal block grant funds is retroactive to June 30, 2008.

28 28 DIVISION VI

28 29 REPEAL OF FUNDS

28 30 Sec. 46. Section 8.68, Code 2009, is amended to read as
28 31 follows:

28 32 8.68 FUTURE REPEAL OF COMMISSION AND FUND.

28 33 Sections 8.64 through 8.67 and this section are repealed
28 34 effective ~~June 30, 2019~~ July 1, 2010 .

CODE: Repeals the Local Government Innovation Commission and Fund, effective July 1, 2010.

28 35 Sec. 47. Section 8A.123, subsection 2, Code 2009, is
29 1 amended to read as follows:

29 2 2. Internal service funds shall be administered by the
29 3 department and shall consist of moneys collected by the
29 4 department from billings issued in accordance with section
29 5 8A.125 and any other moneys obtained or accepted by the
29 6 department, including but not limited to gifts, loans,
29 7 donations, grants, and contributions, which are designated to

CODE: Eliminates the opportunity for department directors to obtain loans from Internal Service Funds for the purpose of enhancing delivery of services.

29 8 support the activities of the individual internal service
29 9 funds. ~~The director may obtain loans from the innovations~~
29 10 ~~fund created in section 8.63 for deposit in an internal~~
29 11 ~~service fund established pursuant to this section to provide~~
29 12 ~~seed and investment capital to enhance the delivery of~~
29 13 ~~services provided by the department.~~

29 14 Sec. 48. Sections 8.63 and 8.69, Code 2009, are repealed.

CODE: Repeals statutory sections creating the Innovations Fund and the Local Government Innovation Fund effective July 1, 2010.

29 15 Sec. 49. INNOVATIONS FUND AND LOCAL GOVERNMENT INNOVATION
29 16 FUND == TRANSFER.

CODE: Requires unencumbered or unobligated balances of the Innovations Fund and the Local Government Innovation Fund at the close of FY 2009 and future years to be transferred to the State's General Fund. This Section is effective on July 1, 2009.

29 17 1. Notwithstanding any provision of law to the contrary,
29 18 the unencumbered or unobligated balances of the innovations
29 19 fund created in section 8.63 at the close of the fiscal year
29 20 beginning July 1, 2009, and any moneys to be credited to the
29 21 fund in any succeeding fiscal year shall be transferred to the
29 22 general fund of the state.

DETAIL: The Innovations Fund is a self-supporting Fund used to loan monies to State agencies to implement innovative ideas that reduce expenditures or increase revenues to the State General Fund. The cash balance of the Fund on March 1, 2009, was \$4,610,000. Payments on existing loans are estimated to total \$800,000 for FY 2010. The Local Government Innovation Fund is used to encourage innovation in local governments by providing grants to assist in the implementation of local government innovation and eliminate duplication of services. The cash balance of the Fund on March 1, 2009, was \$844,000.

29 23 2. Notwithstanding any provision of law to the contrary,
29 24 the unencumbered or unobligated balances of the local
29 25 government innovation fund created in section 8.67 at the
29 26 close of the fiscal year beginning July 1, 2009, and any
29 27 moneys to be credited to the fund in any succeeding fiscal
29 28 year shall be transferred to the general fund of the state.

29 29 3. This section takes effect July 1, 2009.

29 30 Sec. 50. EFFECTIVE DATE. Except as otherwise provided in
29 31 this division of this Act, this division of this Act takes
29 32 effect July 1, 2010.

This Division, except as otherwise provided, is effective on July 1, 2010.

29 33 DIVISION VII
29 34 OTHER PROVISIONS

29 35 Sec. 51. IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM ==

CODE: Permits an employee to contribute funds to the Iowa Public

30 1 TEMPORARY LAYOFFS == AVERAGE COVERED WAGE RECALCULATION.

30 2 1. Notwithstanding any provision of chapter 97B to the
 30 3 contrary, a member of the Iowa public employees' retirement
 30 4 system who has an employer=mandated reduction in hours but
 30 5 remains on the employer's payroll, and who would receive a
 30 6 reduction in the member's three=year average covered wage as a
 30 7 result of the reduction in hours, may have the member's
 30 8 retirement allowance calculated based on the three=year
 30 9 average covered wage the member would have received, based on
 30 10 reasonable assumptions, if the member had not been subject to
 30 11 the employer=mandated reduction in hours, upon payment by the
 30 12 member of the applicable contribution amount. For purposes of
 30 13 this section, the applicable contribution amount is an amount
 30 14 equal to the employee and employer contributions that would
 30 15 have been paid to the system based on the wages that the
 30 16 member would have received but for the employer=mandated
 30 17 reduction in hours and would have been included in the
 30 18 member's three=year average covered wage.

30 19 2. The payment of the applicable contribution amount under
 30 20 this section shall be treated as pick=up contributions in
 30 21 addition to amounts picked up under section 97B.11A. The
 30 22 member must notify the Iowa public employees' retirement
 30 23 system and the member's employer prior to the member
 30 24 terminating employment covered under the system so that the
 30 25 appropriate calculations can be made and the applicable
 30 26 contribution amount for the member can be deducted from the
 30 27 member's wages. The Iowa public employees' retirement system
 30 28 shall have no liability for a member's failure to notify the
 30 29 system and the member's employer in time to make such
 30 30 calculations and deduct the applicable contribution amount
 30 31 from the member's remaining wage payments.

30 32 3. This section shall apply to employer=mandated
 30 33 reductions in hours during the period of time beginning on or
 30 34 after January 1, 2009, and ending no later than June 30, 2010.
 30 35 The system is authorized to adopt such rules, including
 31 1 emergency rules, as it deems necessary or prudent to implement
 31 2 this section.

Employees Retirement System (IPERS) to offset temporary layoff periods under certain circumstances. To be eligible, an employee must:

- Experience an employer-mandated reduction in work hours from January 1, 2009, through June 30, 2010.
- Be within three years of retirement.

If these conditions are met, the employee may request their retirement allowance be recalculated based on the three-year average covered wage the employee would have received without the mandated reduction in hours. The employee is required to pay IPERS an amount equal to the employee and employer contributions that would have been paid to the system if the employee's hours had not been reduced. These hours will be treated as pick-up contributions and the member is required to notify IPERS and the employer to have the calculation completed and the appropriate wages deducted. The employer and IPERS have no liability for the member's failure to give retirement notification. The IPERS system is authorized to adopt emergency rules to implement this provision.

31 3 Sec. 52. USE OF REVERSIONS == FY 2009. Notwithstanding
31 4 section 8.62, at the close of the fiscal year beginning July
31 5 1, 2008, any balance of an operational appropriation that
31 6 remains unexpended or unencumbered shall not be encumbered or
31 7 deposited in the cash reserve fund as provided in section
31 8 8.62, but shall instead revert to the general fund of the
31 9 state at the close of the fiscal year as provided in section
31 10 8.33.

CODE: Requires FY 2009 reversions to be deposited in the General Fund.

DETAIL: Under current law, departments may encumber and retain up to 50.00% of reversions for employee training, technology enhancement, or purchases from Iowa Prison Industries. The remaining unencumbered reversions must be deposited in the Cash Reserve Fund.

31 11 Sec. 53. USE OF REVERSIONS == FY 2010. Notwithstanding
31 12 section 8.62, at the close of the fiscal year beginning July
31 13 1, 2009, any balance of an operational appropriation that
31 14 remains unexpended or unencumbered shall not be encumbered or
31 15 deposited in the cash reserve fund as provided in section
31 16 8.62, but shall instead revert to the general fund of the
31 17 state at the close of the fiscal year as provided in section
31 18 8.33.

CODE: Requires FY 2010 reversions to be deposited in the General Fund.

DETAIL: Under current law, departments may encumber and retain up to 50.00% of reversions for employee training, technology enhancement, or purchases from Iowa Prison Industries. The remaining unencumbered reversions must be deposited in the Cash Reserve Fund.

31 19 Sec. 54. JUDICIAL APPOINTMENT == DELAY.
31 20 1. Notwithstanding section 46.12, the chief justice may
31 21 order the state commissioner of elections to delay, for up to
31 22 one hundred eighty days for budgetary reasons, the sending of
31 23 a notification to the proper judicial nominating commission
31 24 that a vacancy in the supreme court, court of appeals, or
31 25 district court has occurred or will occur.
31 26 2. Notwithstanding sections 602.6304, 602.7103B, and
31 27 633.20B, the chief justice may order any county magistrate
31 28 appointing commission to delay, for up to one hundred eighty
31 29 days for budgetary reasons, the certification of nominees to
31 30 the chief judge of the judicial district for a district
31 31 associate judgeship, associate juvenile judgeship, or
31 32 associate probate judgeship.
31 33 3. Notwithstanding section 602.6403, subsection 3, the
31 34 chief justice may order any county magistrate appointing
31 35 commission to delay, for up to one hundred eighty days for
32 1 budgetary reasons, the appointment of a magistrate to serve

CODE: Permits the Chief Justice of the Supreme Court to delay, for up to 180 days, for budgetary reasons, the nominating process for any judgeship or magistrate office that becomes vacant between the effective date of this Act and June 30, 2009.

DETAIL: Judges' salaries are set in statute. The cost savings generated from the delay depends on the judicial officer position that is vacant. There are currently seven Supreme Court Justices, nine Court of Appeals Judges, 116 District Court Judges, 61 District Associate Judges, 12 Associate Juvenile and Probate Judges, and 152 Magistrates.

32 2 the remainder of an unexpired term.

32 3 4. The section is applicable for the period beginning on

32 4 the effective date of this section and ending June 30, 2009.

32 5 Sec. 55. EFFECTIVE DATE. This division of this Act, being

32 6 deemed of immediate importance, takes effect upon enactment.

This Division is effective on enactment.

32 7 HF 414

32 8 jp/cm/25